the weekly Standard

JANUARY 28, 2002

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THE SPY WHO WENT TO MASS
JUSTIN TORRES

Preempting Terrorism

The case for anticipatory self-defense

BY MICHAEL J. GLENNON

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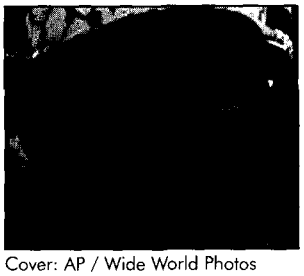

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The *Nation*'s Field of Dreams

It seems the *Nation* won't let the facts interfere with a Bush-bashing opportunity. The *Wall Street Journal* noted in its "Best of the Web" column Friday that a Matt Bivens story in the *Nation*, "The Enron Box," began with a howler: "When George W. Bush co-owned the Houston Astros and construction began on a new stadium, Kenneth Lay agreed to spend $100 million over thirty years for rights to name the park after Enron." As the *Journal* noted, "it was the Texas Rangers, not the Astros, that Bush co-owned." Strike One.

The Nation was quick to "fix" this on their website. By late Friday, they had come up with this solution: "When George W. Bush co-owned the Texas Rangers and construction began on a new stadium, Kenneth Lay agreed to spend $100 million over thirty years for rights to name the park after Enron."

Problem is, the Texas Rangers play at The Ballpark in Arlington. Enron Field is where the Houston Astros play, more than 200 miles away. Strike Two.

THE SCRAPBOOK is beginning to think the *Nation* folks need to get out more. They don't know Texas; they don't know baseball. The only ERA they've heard of is probably the Equal Rights Amendment. So to prevent further embarrassment, we are happy to clue them in: Texas has not one, but two major league baseball teams, the Rangers and the Astros. The Rangers play in the American League; the Astros in the National League.

And what does Bush's onetime ownership of the Rangers have to do with the Astros' Enron Field? Absolutely nothing. Strike Three. ♦

James Earl Who?

When the city of Lauderhill, Fla., was trying to decide last December who they'd get to speak at their annual Martin Luther King Jr. Day celebration, they elected not to go with Denzel Washington or Bill Cosby, on account of their being too expensive. Maybe they should have spent the extra cash. After settling on James Earl Jones, the voice of Darth Vader and CNN, Lauderhill suffered a serious public relations setback last week. The plaque they ordered to honor their speaker was unveiled and read: "Thank you James Earl Ray for keeping the dream alive."

The plaque's manufacturer in Georgetown, Texas, was naturally horrified. Herbert Miller, vice president of sales at Merit Industries, told the Associated Press that not only had his company donated to the NAACP for years, but he himself was Jewish, "which has also been an oppressed minority." Still, he was mystified about the source of the snafu, since the company is staffed by young Hispanic women with limited knowledge of English.

"Many of them don't even know who Martin Luther King was, much less James Earl Ray," said Miller.

Miller shouldn't feel too bad. The James Earl juxtaposition is a common source of error. Two years ago, New York newscaster Sue Simmons made the mirror-image mistake, identifying James Earl Jones, the voice of the *Lion King*'s Mufasa, as King's assassin. And Chicago mayor Richard M. Daley was once heard loudly grousing that his mayoral opponent was fooling voters by using voiceovers from James Earl Ray in his campaign ads.

Former West Virginia governor Cecil Underwood couldn't remember which James Earl was which, so when he met the actor, he split the difference, calling him "James Earl Ray Jones." But the worst James Earl jumble may have come when assassin James Earl Ray died in 1998. During a Pittsburgh Pirates game, broadcaster Larry Frattare broke into KDKA's coverage to announce the death, waxing maudlin about how "a lot of us in baseball have a lot of feelings about *Field of Dreams* and the soliloquy [James Earl Jones] gave."

A few years ago, we thought that the King family itself might have gotten their James Earls confused, when they said that Ray was not guilty of their patriarch's murder, advancing various conspiracy theories instead. But now that King's son, Dexter, has been overseeing the marketing of MLK's voice and image, THE SCRAPBOOK has come up with a handy James Earl mnemonic. James Earl Jones is the guy who stars in Verizon commercials. James Earl Ray is the murderer of the man whose voice is used (along with those of Kermit the Frog and Homer Simpson) in Cingular Wireless commercials.

Former president James Earl Carter, who has not been spotted in any telephone commercials, could not be reached for comment. ♦

Beijing's Olympic Spirit

It's been rather a while since THE SCRAPBOOK last provided an update on China's Olympic spirit. As close readers will remember, Secretary of State Colin Powell predicted last year that Beijing's selection to host the 2008 summer games meant China was in for "seven years of supervision by the international community to make sure that the Olympic spirit is kept very much in mind."

So we've been keeping a list of Chinese domestic depredations that Foggy

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Bottom might want to attend to once things settle down in southwest Asia. And, boy, is that list long. To take just two examples.

Last year in these pages ("NYPD Red," Aug. 13, 2001), Ellen Bork reported on her visit to a seminar for Chinese police officials conducted by New York City's John Jay College of Criminal Justice. There men like Zhao Zhifei, deputy police commissioner of Hubei province, received advanced training in things like "crowd control." While at John Jay, Zhao was also served a $50 million federal civil suit charging him with crimes against humanity in connection with the April 2001 murder of two Hubei Falun Gong practitioners. On July 19 last year, Zhao Zhifei returned to China from New York.

And on August 30, a Hubei man named Peng Liang, the plaintiff in the suit against Zhao, was arrested (Zhao was suspected in the torture-murders of Peng's mother and brother). Peng has not been seen since. For what it's worth, Peng Liang has won his lawsuit. On December 23, U.S. District Court Judge Denise Cote entered a default judgment against Zhao Zhifei.

Also in the news, concern is growing among international human rights activists that China intends to impose a death penalty against Hong Kong businessman Li Guangqiang, charged last spring with participation in an "evil cult" for having shipped 30,000 copies of the New Testament into Fujian Province. Last week State Department spokesman Richard Boucher said President Bush had taken a personal interest in Li's case and had requested U.S. diplomats to look into the matter.

Good for the president. But we wonder why he had to ask. ♦

Tattoo Discrimination?

George Washington fathered a country. Abraham Lincoln saved the Union. Ronald Reagan won the Cold War. And Rep. Lois Capps, in a bit of 21st-century statesmanship, has just secured $50,000 in federal funds for tattoo removal, to fight discrimination in her Santa Barbara, Calif., congressional district.

"People with visible, inappropriate tattoos," said Capps, "often encounter negative attitudes, stereotyping and discrimination resulting in unemployment, underemployment or the inability to move forward in their careers."

The Scrapbook applauds Capps for her innovative lawmaking. We've often wondered when a courageous politician would ignore the polls, throw caution to the wind, and tackle head-on the crisis of anti-tattoo discrimination. No longer should any American lose a job simply because he has "I Love Mother" etched on his biceps. Never again should proud tattoo-owners have to . . .

But wait a minute. Isn't Capps blaming the victim? Why should the proud tattoo bearer have to lose his body paint simply because some bigoted employer is tattooist? If there's a federal role here, shouldn't it be to outlaw anti-tattoo discrimination?

Ummm, on second thought, forget we even mentioned it. We wouldn't want to give members of Congress any crazy ideas. ♦

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Casual

An Open Letter to the Maryland Office of Unemployment Insurance

Dear Sirs:

Thank you for your recent "Notification of Assessment and Pending Civil Action" wherein I am informed that unless I make good a $3.53 tax debt by January 25, the State of Maryland will send "the sheriff" to seize my house and sell it "at [my] expense." That seems a reasonable plan to me, though I must say I wonder about the January 25 deadline, which is almost a week away. Shouldn't you come seize and sell my house immediately, while you're still confident of its location? I mean, by January 25 a man could easily box up a house like mine, truck it to Baltimore, and reassemble it right in your office. Where, *entre nous*, nobody can ever find anything. My advice: Contact the sheriff today.

Fact is, you probably should have contacted him a long time ago. Several years back, I conducted a major phone and letter campaign to alert the State of Maryland that there was this nice lady who'd begun helping us clean the house, and here was her name and Social Security number, and this was how much money we were giving her, and would you please tell me what taxes I'm supposed to pay, and so on. Boy, were you guys nice about this. First you let months and months go by, totally ignoring the matter. Then, after this grace period had ended, you were kind enough to send me a personalized form letter explaining that, because months and months had gone by during which I'd never once made a contribution to the "Maryland Unemployment Insurance Fund," the sheriff would soon be coming to seize and sell my house.

State law requires that a persuasive rationale for this program be kept permanently on file in your office, where . . . well, we've been over that already, haven't we? So I can only guess, but I figure it this way: If I pay approximately $3.50 to the unemployment insurance fund four times a year, your office, should I ever fire the cleaning lady, will step in and replace the wages she's lost. And since, as the document you've sent me points out, I'm currently paying this woman an annual salary of $133,333.20 for six hours of work each week, the stakes are obviously very high: You need all the $3.50 contributions you can get.

Darren Gygi

Better yet, you need to keep this tax a secret, even as I'm begging you to tell me about it, thereby guaranteeing that I will fail to pay, thereby giving the sheriff cause to seize and sell my house. That way, the lady who helps clean said house won't have to work there without an unemployment safety net—because there won't be a "there" for her to work in the first place. Best of all, because I won't have "fired" her, your office won't have to pay her a dime, am I right?

As I say, this seems a reasonable plan to me. You should have carried through on it when you first had a chance. Instead, you let me slide. And we both know I've been taking shameless advantage of you ever since. I've completed the two hours of paperwork necessary to pay every last one of those $3.50 quarterly tax bills. Occasionally—such is the mind of the habitual law-abider—I've even waited until after the due date, just to get you thinking it was finally time to seize and sell my house, only to dash your hopes by sending in the full $3.50, *plus* a $35.00 penalty, *plus* interest. Top of the world, Ma!

At least, that always used to be my attitude. But lately—I don't know, maybe I'm getting old—the thrill is gone. So let's talk turkey, shall we? Says here in your Notification that I am delinquent with my unemployment-fund contribution for the third quarter of last year. Once upon a time I would have thought it relevant to mention that the check I sent you for that quarter actually cleared my bank some time ago. But such are the petty concerns of yesterday, and for now I am concentrating on the deeper truth suggested by your otherwise laughable complaint. To wit: Any man, like me, who pays his Sunday-afternoon housekeeper $133,333.20 a year belongs in a lunatic asylum, not left free to roam the streets of Bethesda. Informal research I've conducted in the neighborhood confirms this hunch. Hundreds of families around here have cleaning ladies like ours. But nobody else pays even a fraction what we do. Also, I've noticed that whenever I bring up the Maryland Unemployment Insurance Fund, people invariably get all nervous and change the subject, as if I'd exposed myself or something.

Clearly I am a danger to the community. You'd best send the sheriff, pronto.

Incidentally, will he be seizing the house *and* its contents, or just the house? I'd really like to keep the piano, for example. And speaking of the piano, would now be a good time to ask you about unemployment insurance for the music teacher who comes over on Saturdays? Or would you prefer to wait until we find a new place to live? Please advise.

Sincerely,

David Tell

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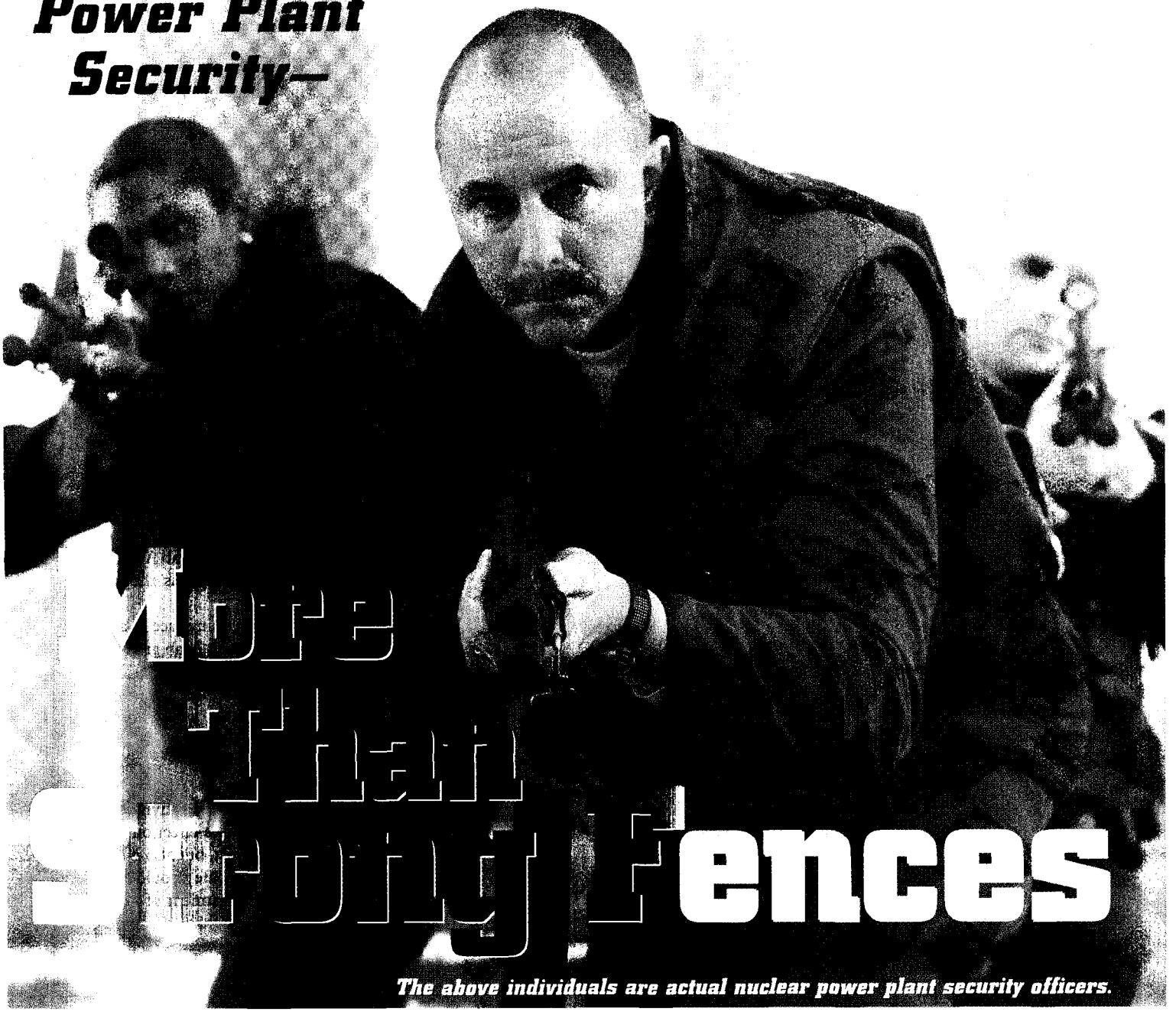
Nuclear Power Plant Security—



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A Two-Front War

Asked a fairly general question—whether nationality, etc., should be employed as criteria in assessing suspected terrorists—some so-called experts gave Heather Mac Donald a glib "no" ("The War on the Police," Dec. 31/Jan. 7). One wonders if a slightly different question, for example whether such criteria should be employed in order to avert an impending attack in the expert's own neighborhood, would have elicited a different response. One lesson of September 11 is that blind idealism is not the way to respond to real evil, and only irresponsible fools failed to learn that.

D. Midalia
Sydney, Australia

Even granting that Heather Mac Donald is correct on all the points she makes, I remain unconvinced that we should be overly trusting of the police. It seems that an underlying assumption in Mac Donald's work is that the police are a social authority about which we need not be vigilant. This is a dangerous assumption.

My experiences with the police have been frightening precisely because the police are a very powerful authority. One of the things that makes America great and which was a high priority for our Founding Fathers is limitations on the police. Much of the Bill of Rights concerns police control, and appropriately so. Abuse of police power is the first symptom of despotism.

So, wring our hands as we might that the police are too hampered to keep us safe, we should be cautious about giving them too much freedom. The tradeoff between freedom and security is not a new dilemma. America has long opted for freedom at the cost of being less secure. Mac Donald says nothing that should change that formula.

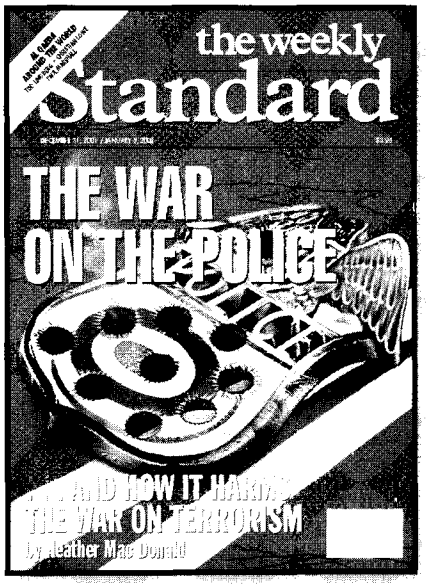
Matt Burr
Dallas, TX

Heather Mac Donald is right on the money, but even more damaging to police morale than adverse publicity related to racial profiling are pressures from the federal courts. Adverse media coverage can perhaps be shrugged off, but being a defendant in a Civil Rights Act suit places an officer at risk of financial ruin. The volume of this litigation has increased dramatically in recent years.

Charles Carlson
Editor, Local Government Law Weekly
Hinsdale, IL

In "The War on the Police," Heather Mac Donald argues that racial profiling does not exist because certain minority groups commit crimes at higher rates.

While she provides an excellent critique of why, based on numerous statistics, there are higher crime rates among certain minority groups, this overlooks an important aspect of the racial profiling debate. The true dilemma involves not the number and proportion of stops or



arrests, but the reasoning behind them. If a minority is stopped or arrested because of genuinely suspicious behavior, there is not a problem. The trouble arises when that same person is arrested simply because of his race. "The anti-profiling juggernaut," in my opinion, is based on this idea that an entire ethnic group is to be punished for the sins of a few.

As someone who has studied allegations of racial profiling in Cincinnati, I have heard innumerable allegations of the "bad" kind of racial profiling: African-American drivers pulled over for driving expensive cars, or for being in predominantly white neighborhoods after dark, and Hispanics pulled over for crimes that are overlooked when committed by whites. How many times has a white person been pulled over for not signaling 100 feet before his turn? I know of several individuals of minority descent who have had just that problem.

Mac Donald writes that it would be nice to hear a call for full cooperation with the terrorist investigation "as the patriotic duty of every Muslim-American." Why Muslims specifically? Shouldn't this be the duty of all Americans? The government interviewed more than 1,000 Americans following the tragedies of September 11 simply because they were of Arab descent. When Timothy McVeigh, who was just as much a terrorist as any of Osama bin Laden's henchmen, killed hundreds in Oklahoma City, there was no similar call to interview white males of a certain age group. Such a request would have been absurd. The same is true here. The average Muslim or Arab American is no more a terrorist than is the average white male.

To put it briefly, using race as a factor, such as in questioning Arab graduates of flight schools asking to learn how to fly jumbo jets, is one thing. Questioning every Arab or Muslim who entered this country after a certain date is quite another.

Indeed, the arrest of certain individuals because of suspicious activity, regardless of such an action's effect on the statistics, is not only just, but also necessary and proper. The debate should be over the arrest and mistreatment of individuals simply because of their race and nothing else. If Mac Donald would like to argue that this, too, is justified, I would encourage such valuable discussion.

It is Mac Donald's categorical dismissal of a valid debate that I oppose.

Adam Nelson
Fairview Park, OH

If there truly is a war on the police, then it is one they have brought upon themselves. Racial profiling is a trivial matter compared to the endemic corruption and incompetence of law enforcement. It can be argued that the September 11 disaster would never have happened had the FBI and U.S. intelligence services done their jobs. And what of Robert Hanssen? This FBI agent did more damage to U.S. security than all the

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WILLIAM B. FANKBONER
La Quinta, CA

GUILTY AS CHARGED

EVEN BEFORE Fred Barnes exposed the recent Stephen Ambrose xeroxing scandal, I had issues with Ambrose's work as a historian ("Stephen Ambrose, Copycat," Jan. 14).

The Patrice Press, a small publisher of nonfiction books on the covered wagon roads to the American West, publishes an even smaller quarterly called *folio*. In the May 2001 issue of *folio* I published a glowing review of Ambrose's new book *Nothing Like It in the World*, because I enjoyed it so much. I marveled at his research skills.

Well, I was severely chastised by legitimate railroad historians, who shocked me into the realization that I should not be reviewing nonfiction books on subjects about which I had no knowledge. My respect for Ambrose fell more than a few notches.

Then the military historians got on his case because of tragic errors in his *D-Day*. Ambrose was quoted in a page-one article in the *Wall Street Journal* as saying that his critics could say "whatever the hell they wanted to say"—it didn't bother him. It would have been so easy for him to say that he would check out the criticisms and correct any errors in subsequent editions.

Many years ago James Michener asked me to read a chapter of his forthcoming *Centennial*. I caught thirty-two errors. He accepted twenty-nine and challenged three. I prevailed on two of them. And Michener was writing a *novel*.

The fame of Stephen Ambrose can be traced to the book review editors of America's daily press. Fawned upon by the major publishers, they assign nonfiction books to their pals, aware that the reviewers know absolutely nothing about the subject. The same mistake I made.

Will I ever review another book by Stephen Ambrose? Sure, if that book is the story of the opening of the American West. I'll check his citations and if they turn out to be fraudulent, deliberate lies, as was the case in some of his railroad book "contacts," he will catch hell. And neither he nor his publisher will care.

GREGORY M. FRANZWA
Director, The Patrice Press
Tucson, AZ

IN HIS AUTHOR'S NOTE in *The Wild Blue*, Stephen Ambrose writes, "I knew something about his career in the Army Air Forces," in reference to George McGovern.

I belonged to the Army Air Corps during World War II. The Air Force did not exist during WWII, the period with which *The Wild Blue* concerns itself.

The use of the word "Forces" is also strange; it's as if Ambrose did not do his research.

This short statement reveals Ambrose's lack of knowledge. If he knew something about McGovern's career in the military, then he should have known the correct name of the branch he was in.

WILLIAM H. LINK
Northridge, CA

FRED BARNES'S reporting the plagiarism by Stephen Ambrose and his subsequent tribute to historian Thomas Childers show just how ridiculous politics, in writing about historical facts from another era, is. Evidently many World War II veterans love Ambrose, and Childers seems embarrassed that this has happened to a noted historian who used his words and ideas without giving him credit.

To give Ambrose a pass on breaking the most important of ethical codes in publishing just because he's popular with some veterans merely shows up-and-coming writers that if you steal, it's okay.

DAVID LEVIN
Burlingame, CA

SPAWNING TROUBLE

IN HIS "CLOSING IN ON CLONING" (Jan. 14), Wesley J. Smith incorrectly writes that "Clinton's bioethics commission recommended a Clintonian approach: Simply use private money to pay for destruction of the embryos and the extraction of their stem cells. After that, the federal government could pick up the tab." In fact, President Clinton's National Bioethics Advisory Commission recommended legislation to authorize federal funding for both the derivation of embryonic stem cells and for subsequent work on the resulting immortalized cell lines. It was the general counsel to the secretary of health and human services who interpreted the extant federal law as permitting federal funding for work on cell lines that had been derived with private monies. The National Institutes of Health's internal, ad hoc advisory committee used that interpretation to develop a policy for federally funded work on cell lines originally derived using private funding.

R. ALTA CHARO
Professor of Law and Medical Ethics
University of Wisconsin Law School
Bioethics Advisory Commission, 1996-2001
Madison, WI

BLACK HAWK RISING

AFTER WHAT SOMALI BANDITS did to U.S. troops during the famine relief efforts in 1993, it's time to go back in there and clean that country up once and for all ("Black Hawks Back to Somalia?" Dec. 31/Jan. 7). As Christian Lowe reports, U.S. operatives have already been scouting for terrorist camps in Somalia, a state that harbors much hatred against the United States, therefore making it an appealing sanctuary for al Qaeda. It is necessary for us to return to Somalia and destroy the system that would give an organization like al Qaeda haven. I believe the U.S. Special Forces will have the support necessary to finish the job this time.

SOPHIE ROBERTS
Lehigh, OK

• • •

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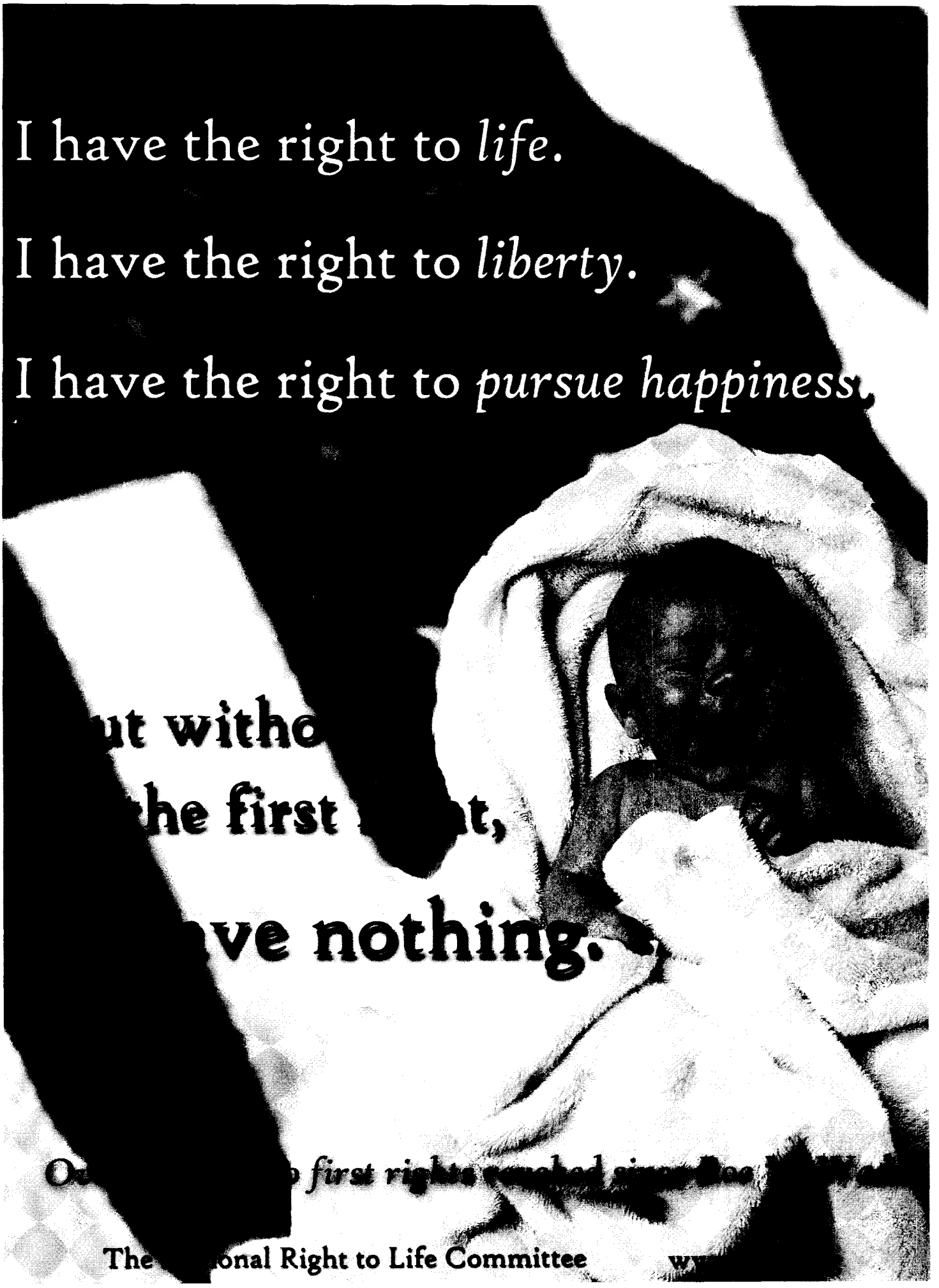

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the weekly Standard

Farmer Daschle

Farm bill. When those two words crop up, the normal reaction is to tune out. Don't this time. The farm bill that's working its way through Congress is a disaster. It costs too much. It enriches the well-to-do. And it's likely to cause an egregious case of role reversal. For years the United States criticized Europeans for lavishly subsidizing their farmers, giving European farm products an unfair advantage in world markets. But Europe is finally inching away from over-subsidizing farmers. Should the Senate pass Majority Leader Tom Daschle's bill, the United States will be on the verge of doing exactly what the Europeans used to.

The bad actors in this drama, going from bad to worse to worst, are President Bush, House Republicans, and Daschle. The three agree on one thing, and it's a bad thing: Farm subsidies should soar, not by $25 billion or so over 10 years as the Bush administration once proposed, but by more than $70 billion. Daschle is insistent about this. He tried to force a farm bill costing more than $80 billion through the Senate last December, though the current bill won't expire until September 30. Why the urgency? He wanted to lock in increased spending on farm subsidies before fresh budget projections show a swelling deficit.

Let's pause for a bit of farm bill history. In 1996, Congress approved the Freedom to Farm Act, designed to phase out payments to farmers over seven years. It marked a historic change from the previous six decades of Washington's setting a target price for crops and paying farmers the difference when the actual market price fell below the target. Washington also told farmers how much they could grow. Rather quickly a problem arose. When farm prices dipped, Congress and the White House didn't have the fortitude to stick with Freedom to Farm. Instead, for the last four years, they've provided "emergency" payments to farmers. One result: four years of record net farm income.

Of course, as the entire planet must know by now, farm subsidies go mainly to well-heeled farmers who don't need them. Two-thirds of the subsidies go to 10 percent of America's farmers. If the farm bill passed by the House in 2001 were to go into effect, eligible full-time farms would get an average of more than $1 million. All this seems to matter little in Washington. What *does* matter is that those farms are in key states—including Iowa, Texas, South Dakota—and critical congressional districts.

It was over Bush's objections that House Republicans cleared a bipartisan farm bill despite there being no urgent need to act. Like Daschle, they were eager to enact subsidies that might appear unaffordable this year. The Office of Management and Budget asked them to stop, pointing out their bill would encourage overproduction at a time of low prices, fail to help the farmers most in need, jeopardize overseas markets, and boost spending. The bill passed.

That brought Daschle to the fore. Last summer, he and Democrats tried to boost "emergency" farm spending from $5.5 billion to $7.5 billion. Bush and Republicans blocked that. The Bush administration also had kind words for the reform farm bill of Sen. Richard Lugar, Republican of Indiana. Lugar would provide a voucher for every farmer, not just those normally covered. With it, farmers could buy federally backed insurance guaranteeing them at least 80 percent of their average income over the previous five years. The price tag for the Lugar bill, including its hike in spending for food stamps, was about $25 billion. This wasn't enough for either Democrats, who voted in lockstep, or a good many Republicans. Lugar lost 70-30 in the Senate.

Daschle is plowing ahead. And he can only be encouraged by the White House's cave on farm spending. After Daschle's farm bill stalled in the Senate in December, a brigade of congressional Republicans from farm states visited the White House. They left with a letter promising Bush's support for $73.5 billion in increased farm spending. That amount was penciled in last spring in the 2002 budget resolution, based on now-irrelevant budget projections. At the time, whopping surpluses were assumed. Now deficits are foreseen for at least several years. The White House knew this—and capitulated anyway.

So the likelihood is a return to the bad old days of bloated subsidies, which will result, Lugar says, in "overproduction, low prices, great instability, and a built-in bubble in land values for which we shall pay at some point." Worse, the United States will catapult itself into the unenviable position once occupied by Europe: world farm-subsidizer-in-chief. A lawsuit against the United States in the World Trade Organization will follow. It's not too late to avert this. The White House could cite less rosy budget projections to reject costly farm subsidies. The administration could endorse the Lugar bill. Daschle could concede increased subsidies clash with his vow, in his ballyhooed economic speech on January 4, to battle for fiscal responsibility. Okay, okay, a Daschle reversal is a pipe dream. But Bush has the political capital to switch. And he should.

—Fred Barnes, for the Editors

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A Historian and Her Sources

Doris Kearns Goodwin's borrowed material.

BY BO CRADER

IN 1993 HISTORIAN Doris Kearns Goodwin complained that Joe McGinniss had borrowed extensively for his *The Last Brother* from her 1987 book *The Fitzgeralds and the Kennedys*. "He just uses it flat out, without saying that it came from my work," Goodwin told the *Boston Globe*. "You expect that another writer would acknowledge that," Goodwin continued. "It's inexplicable why it wasn't done."

Now, it's Goodwin's use of source material that requires explication.

Two weeks ago in this magazine, Fred Barnes reported on the striking similarities between Stephen E. Ambrose's *The Wild Blue* and Thomas Childers's *Wings of Morning*. Subsequently, THE WEEKLY STANDARD received a letter pointing out that Goodwin's *The Fitzgeralds and the Kennedys* borrowed with insufficient attribution from three earlier works by other authors.

An examination of the works in question confirmed the correspondent's allegation.

One source for Goodwin was Hank Searls's 1969 *The Lost Prince: Young Joe, the Forgotten Kennedy*. Searls describes Joe Kennedy's disappointing last game on the Harvard football squad:

> Joe had shivered on benches from West Point on the Hudson to Dartmouth in the mountains of New Hampshire. (p. 101)

Eighteen years later, Goodwin writes that Joe Kennedy was

> shivering on benches from West Point on the Hudson to Dartmouth in the mountains of New Hampshire. (p. 507)

Searls describes the scene after the 1937 Harvard victory over Yale:

> He turned helplessly to his old classmate Campbell, then fought his way blindly through hysterical fans to the field to comfort his son. (p. 105)

Here's Goodwin:

> [He] turned helplessly to Tommy Campbell, then fought his way through the hysterical fans to provide solace to his son. (p. 508)

Searls writes that

> Naval pilot training held coldly to the premise that it was better to remove the accident-prone early, before too much time and money had been wasted on him. (p. 178)

Goodwin changes a few words:

> Naval pilot training held coldly to the premise that it was best to remove those who couldn't conquer the tensions of flying early, before too much time and money had been wasted on them. (p. 622)

In an interview, Searls acknowledges the similarities. There's "a certain amount of license," he says. "She changed a few words, which seems to me to be within bounds of journalistic ethics, although I myself always tried to give credit to authors I used."

In another instance, Goodwin's prose mirrors that of Rose Kennedy's 1974 autobiography, *Times to Remember*. Kennedy writes:

> I ran upstairs and awakened Joe. I stood for a few moments with my mind half paralyzed. I tried to speak but stumbled over the words. Then I managed to blurt out that priests were here with that message. He leaped from the bed and hurried downstairs, I following him. We sat with the priests in a smaller room off the living room, and from what they told us we realized that there could be no hope, and that our son was dead. (p. 301)

The corresponding passage in Goodwin's book differs mainly in changing perspective from the first to third person:

> Rose ran upstairs and burst into her husband's room. Waking him, she stood for a few moments, her mind half paralyzed, trying to speak but stumbling over her words. Then she managed to blurt out what the two priests had said. Joe Senior rushed down and escorted the priests into a small room off the living room. There he and Rose heard the story which made it clear that there could be no hope. Their eldest son was dead. (p. 689)

But the most striking borrowing is from Lynne McTaggart's 1983 *Kathleen Kennedy: Her Life and Times*.

McTaggart, for example, writes that

> her [Kathleen's] closest friends assumed that she and Billy were "semiengaged." On the day of the party reports of a secret engagement were published in the Boston papers. . . . The truth was that the young couple had reached no such agreement. (p. 65)

The corresponding passage in Goodwin's book differs by just a few words:

> her [Kathleen's] closest friends assumed she and Billy were semi-engaged. On the day of the party, reports of a secret engagement were published in the Boston papers. . . . The truth was that the young couple had reached no such agreement. (p. 586)

McTaggart:

> Hardly a day passed without a pho-

Bo Crader is an editorial assistant at THE WEEKLY STANDARD.

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tograph in the papers of little Teddy, taking a snapshot with his Brownie held upside down, or the five Kennedy children lined up on a train or bus. (p. 25)

Goodwin:

> Hardly a day passed without a newspaper photograph of little Teddy taking a snapshot with his camera held upside down, or the five Kennedy children lined up on a train or bus. (p. 523)

McTaggart:

> Mrs. Gibson gave a tea in her honor to introduce her to some of the other girls—hardly a routine practice for new recruits. (p. 130)

Goodwin:

> Mrs. Harvey Gibson gave a tea in her honor to introduce her to some of the other girls—hardly a routine practice for new recruits. (p. 666)

There are dozens more such parallels in *The Fitzgeralds and the Kennedys*.

The treatment of McTaggart's work as a source changed after the first edition of Goodwin's book. The changes were not accompanied by any acknowledgment of defects in the earlier edition. And to this day, the borrowed passages are not placed in quotation marks, though they are now footnoted.

The 2001 edition of *The Fitzgeralds and the Kennedys* contains 40 endnotes citing McTaggart that were not in the first edition. And the preface to the latest edition of Goodwin's book includes the following paragraph: "In the preparation of this work, I was grateful for Lynne McTaggart's biography, *Kathleen Kennedy: Her Life and Times*, which is the definitive biography of Kathleen Kennedy and which I used as a primary source for information on Kathleen Kennedy, both in my research and in my writing." McTaggart was not mentioned in the preface to the first edition. Yet the dateline of the preface in both editions reads "November 1986," as if nothing had been added.

McTaggart, in a phone interview, says that she is unable to comment on or discuss the matter.

Doris Kearns Goodwin

Earl Keleny

David Rosenthal, a spokesman for Simon & Schuster, publisher of *The Fitzgeralds and the Kennedys*, says that an "understanding" was reached between Goodwin and McTaggart. "In the original book there were some mistakes made," he says. "Those mistakes were corrected. Doris acknowledged the mistake to McTaggart, and they reached an understanding on how those mistakes should be corrected. The error was inadvertent. Back then, Doris kept notes on long legal pads and some papers got shuffled. It was corrected as soon as she became aware of the error."

In response to my questions, Goodwin explains, "I wrote everything in longhand in those days, including the notes I took on secondary sources. When I wrote the passages in question, I did not have the McTaggart book in front of me. Drawing on my notes, I did not realize that in some cases they constituted a close paraphrase of the original work."

She confirms that McTaggart contacted her shortly after the book appeared in 1987. "I acknowledged immediately that she was right, that she should have been footnoted more fully. She asked that more footnotes be added and a paragraph crediting her book. This was done in the paperback edition."

Goodwin continues, "This was brought to a satisfactory conclusion 15 years ago. And learning from this, I have made it a constant practice to use quotations in the text itself and to have the original source directly in front of me when I am writing."

Why weren't the passages ever put in quotation marks? "Had she asked for more quotations in the text," says Goodwin, "I would have done it."

Professional norms in the crediting of source material are not, however, matters of lawyer-like negotiation between authors and their sources. There is a right way and a wrong way to do these things. As Goodwin put it in her 1993 complaint against McGinnis:

"There's nothing wrong with an author building on material from a previous book. That's the way history is built, as long as you credit the source. . . . I just don't understand why that wasn't done." ♦

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How the Father Figures

Why does the press ignore the story of John Walker Lindh's dad? BY HARRY STEIN

WAS THERE MORE to the John Walker story than we know? For all the tens of millions of words that gushed forth about Walker, and the endless speculation as to how this young man could have gone so dreadfully wrong, has a potentially key element of the case gone almost completely unreported?

The question is prompted by a report in, of all places, the *National Enquirer*: "AMERICA'S TRAITOR TELLS ALL," screamed last week's cover, over the now-familiar photo of a filthy and disheveled Walker. Directly beneath came the even more dramatic subhed: "Dark family secret that drove him into Taliban."

According to the tabloid, the secret is that when Walker was 16, his attorney father, Frank Lindh, left his mother for a man.

In fact, this was not the first time such an assertion saw print—*San Francisco Examiner* columnist P.J. Corkery reported the same thing back on December 18. The question is why, given the tremendous attention devoted to the case, the mainstream media have not followed up on it. The most obvious answer came in the response to Corkery's report by Rob Morse, a columnist in the rival *San Francisco Chronicle*. According to Morse, Corkery "took attacks on (Walker's) family to a new and disgusting level."

The Lindhs, father and son

ZUMA Press

If this were a conventional "outing"—which is to say, a gratuitous intrusion into the man's private life—Morse might have a point. But, of course, Frank Lindh, ubiquitous on the tube and repeatedly raising his "amicable divorce" from his wife, is a pivotal figure in Walker's much speculated-upon psychological journey. But the tenor of Morse's comments seemed to suggest that such a story, even if accurate, simply ought not be allowed to see the light of day for the reason that, by definition, treating such a subject at all is homophobic. (Indeed, in his attack on the story, he actually managed, with exquisite delicacy, to avoid giving readers any clue as to what it was about.)

The particulars of this case aside for the moment, such an episode speaks to a syndrome that increasingly feeds hostility toward the mainstream press: the appallingly arrogant assumption that on the hot-button social issues of sexuality, gender, and race, the public requires instruction in basic humanity, and in especially charged cases, the public must sometimes be protected from itself.

This is commonly defined by mainstream media honchos as "responsible news judgment," something which, by definition, they alone possess. Defensive as they tend to be about their own shrinking audience, they get positively apoplectic about the "tabloidization" of the press.

The bottom line is that often, on matters of compelling cultural or political importance, the tabloids are initially the *only* media willing to break ranks. Nor can they be as readily dismissed as they once were. Both the *National Enquirer* and the *Star* broke important news on the Clinton scandals, and only recently did the *Enquirer* beat everyone else on the story of Jesse Jackson's "love child"—one that, titillation value aside, threatened Jackson's very status as the nation's preeminent civil rights leader.

Harry Stein is a contributing editor to City Journal *and author of* How I Accidentally Joined the Vast Right-Wing Conspiracy (And Found Inner Peace).

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Then it's time to attack any tumors that may already exist. This is the one area where your doctor is probably concentrating most...and don't get me wrong, I'm *not* trying to upset the apple cart here. But I'll bet he's already encouraged you to read up on your therapy. You and your doctor are a team! If he's good, he wants you to be involved. And, as you'll see, in the last few years alone...

Conventional therapy has leaped light-years ahead. So much so, that literature published just last year can be useless or much worse. For example, right now I'm looking at a best-seller from my local bookstore that claims to be the last word in prostate cancer treatment. It confidently states that *radical prostate surgery* is your safest, surest cure. But did you know...?

* **Only 4% of English urologists** still favor radical prostate surgery...
* **A Dartmouth University study** now declares it of "questionable value" for many men...

And new surgical techniques are yielding better results in many cases, with fewer side-effects. Like the new laser surgery that's virtually pain-free and doesn't even cause bleeding. Or the *cryosurgery* breakthrough that can have you home the next day, *with your potency intact*.

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It's a similar story here. Radiation "seeding" used to be the cutting edge, but new technologies may yield even better results. And you'll discover which may be right for you.

And if you're considering hormone treatments, there's a lot of great news on this front. Older techniques can shrink your scrotum and enlarge your breasts. Newer ones don't, yet they starve tumors so completely, they're even proving effective for later-stage prostate cancer.

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Many of these are so effective and safe, they're truly a no-brainer. Evidence mounts that they do much more than simply attack the cancer. They can also *multiply* the benefits of conventional therapy...and assure that tumors never crop up anywhere again. No wonder so many traditional doctors are busily boning up on this formerly forbidden area.

But chances are your doctor is still pretty new to this entire field. So you've got to help him work the best ones into your battle plan.

Next, you'll find out *how to combine* all the best of these vitamins, minerals, herbs, plus some key fatty acids and other nutrients -- into *the ultimate prevention and cancer-defense program*. And if there's only one part of the book you follow, make it this one, my friend! Because, even if you've already wiped out the cancer in your body, we want to *keep* you cancer-free for the rest of your long life.

Yes, the battle against prostate cancer *can* feel overwhelming...and that's exactly how it defeats many men. *But you're not going to be one of them*. Because this book will help you *make sense* out of chaos and put you back in charge.

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So how about it? Are you ready to win your fight against cancer? Every moment counts now. So why wait another minute?

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This is not to suggest such stories are necessarily all that hard to get. Steve Coz, the *Enquirer*'s editorial director, says both Chicago dailies, the *Tribune* and the *Sun-Times*, had the Jackson story at the same time his paper did, adding "we were keeping our fingers crossed" lest someone beat them on the Walker story. Corkery adds, "This wasn't secret information. A lot of reporters knew about it. They just couldn't get it into their papers."

In its piece on the American Taliban, the *Enquirer* makes a very strong circumstantial case. While dutifully reporting that Lindh's close friend and alleged lover Bill Jones denies a sexual relationship with Lindh, it also identifies him as "the former owner of a gay bathhouse," and quotes him as saying, "I don't see why Frank's sexuality would have anything to do with his son joining the Taliban."

Of course, this last—the impact the father's behavior might have had on the son—is precisely why the story does matter. After all, the speculation began the moment Walker's identity was revealed: What could have possibly seized him to turn his back on everything the rest of us cherish to embrace a belief system devoid of the most rudimentary humanity?

The answers came almost too easily. Friends and family saw him as an idealist and a searcher, the kid who attended the alternative high school and found Islam at 16, after reading *The Autobiography of Malcolm X*. Others used the same set of facts less charitably, as evidence of a young man who came of age steeped in the cultural relativism of his time and place, and finally was left incapable of discerning right from wrong, or recognizing the face of evil, even in its presence.

As for his parents' divorce, that was portrayed by one group as a non-event, which in that milieu it surely is, and by the other, in contrast to the other details, as hardly worth dwelling on.

But this latest piece of information potentially casts things in a radically different light. It is far from unreasonable to speculate that a 16-year-old boy might have been thrown into psychological turmoil by such a thing. In fact, the *Enquirer* prints e-mails Walker wrote at the time indicating as much. In one, he attacked Disneyland, asking, "Isn't that the theme park that sponsored 'gay day' earlier this year?" In another, he referred to J. Edgar Hoover as "a gay fascist."

Nor does it seem coincidental that, just around the time of his parents' split, Walker dropped his father's name for his mother's. That he should embrace, in short order, a faith unremittingly hostile to homosexuality (and a sect that decrees adultery and homosexual behavior punishable by gruesome forms of execution) should, at the very least, provoke interest in further inquiry.

There is a long history of news with perceived negative implications on favored victim groups being handled by big media with "sensitivity."

To anyone with critical sense, this is beyond obvious; and one would imagine that those attuned to psychological nuance, like, say, therapy-friendly reporter-types at big city journals, would be especially eager to pursue such a lead.

As a matter of fact, it doesn't take too deep a read between the lines to see that the *New York Times* was on to this angle almost from the start: "'I would gladly have him for my own son,' said Bill Jones, a family friend, whom Mr. Lindh lived with in San Rafael for two years after his separation from Ms. Walker" (written by the *Times*'s Evelyn Nieves on December 4). But there it was tactfully left, as if this were 1965 and we were dealing with Oscar and Felix.

As the writer and gay activist Michelangelo Signorile observes, "If Lindh had left his wife for another woman and his son were traumatized, it would certainly be discussed by the media. So if Lindh did leave his wife for a man and it affected Walker, it should similarly be reported on."

Indeed, the *Examiner*'s Corkery points out it was the local gay community's taking the story in stride that undercut initial charges by liberals that the assertion was homophobic.

By now there is a long history of news with perceived negative implications on favored victim groups (or even cultural allies) being handled by big-time media with a brand of "sensitivity" that can run from obfuscation to outright distortion.

Thus it was, to cite an especially noteworthy instance, that even as AIDS began to assume epidemic proportions in urban gay communities, almost no reporter covering the scourge (with the heroic exception of the *San Francisco Chronicle*'s Randy Shilts, himself gay and HIV-positive) dared examine the sexual practices that hastened its spread.

Thus it was, too, that at the height of the Clinton impeachment saga, only a modest proportion of Americans were familiar with the name Juanita Broaddrick, despite the fact that she offered highly credible evidence, with no hope of personal gain, that she'd been raped by the future president. In seeming self-parody, the *New York Times* mentioned her only once, in a media piece on the dilemma of how to cover the story. The network newscasts, which routinely take their cues from the "paper of record," did not mention her at all.

In the end, such a course is as foolish as it is intellectually dishonest. Ultimately the result is not just an underinformed public, but ever-shrinking credibility, as the lies of omission and the hectoring about "diversity" and "sensitivity" continue to feed the perception that the media are more concerned with promoting a politically correct worldview than with truth. ♦

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Cocktails in Pakistan

In the Muslim world, a drink is never just a drink.

BY TUCKER CARLSON

Rawalpindi, Pakistan

PEOPLE OFTEN REFER to Dubai as the Hong Kong of the Gulf, but it's really more like Vegas. A sparkling, semi-independent emirate on the Arabian Sea, Dubai is where rich Arabs go to gamble, meet hookers, and drink. But mostly drink. Dubai is drenched with booze. The airport alone probably has more liquor stores per square foot than any building on the planet.

Which, of course, is the appeal. Certain Arabs love Dubai because it's not at all like where they live. Certain others hate it for the same reason. When you hear an Osama bin Laden sympathizer rant about the decadence and hypocrisy of the Arab ruling class, you can be certain he's picturing a nightclub in Dubai.

In the Muslim world, a drink is never just a drink. It's a dividing line, a declaration of cultural sympathies. Scotch is West, green tea is East, and if you want to know which direction a country is headed, take a look at its liquor laws.

Consider Pakistan. There are no liquor stores or Budweiser billboards in Pakistan. The national airline doesn't serve cocktails (but, like AA, does allow smoking). The airports have prayer rooms instead of lounges. Outside of clubs maintained by foreign embassies (the notably sleazy Chinese Club, for instance), there are virtually no bars. Islamabad has precisely one, a smoky, windowless room in the Marriott hotel called the Bassment. The staff is surly, and there's only one kind of beer. A sign on the door says, "For Foreign Non-Muslims Only." Even by the standards of hotel bars, it's a pretty unappealing place. On the other hand, it's the only place.

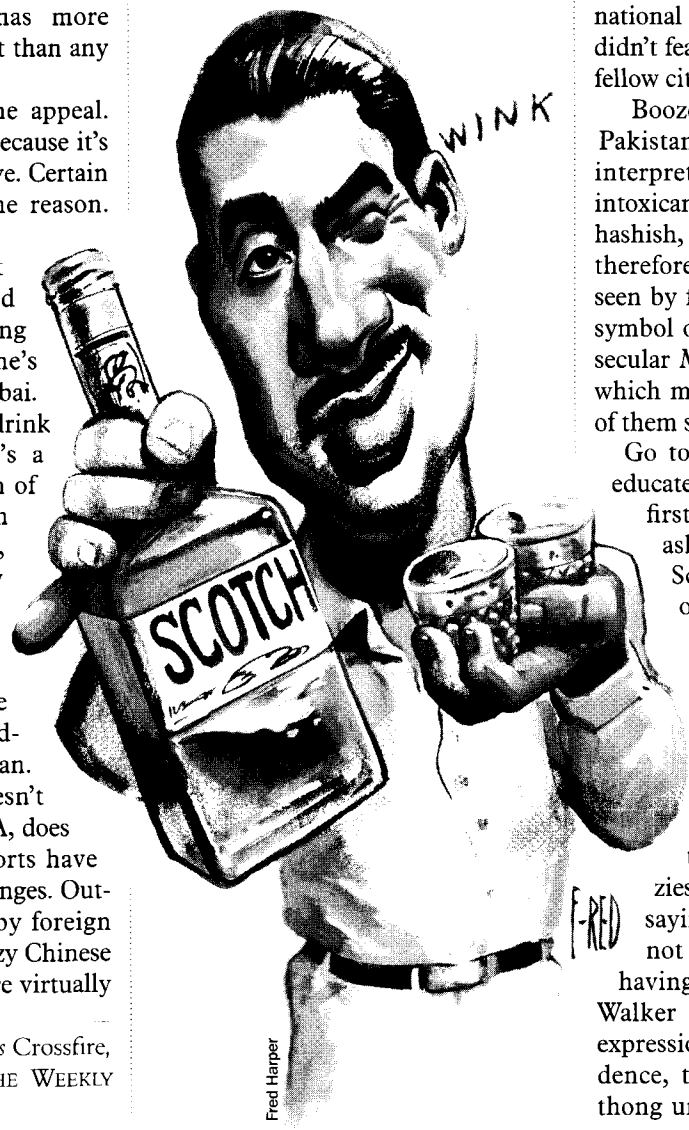
I stopped in one afternoon to talk to the manager, a chubby, 30ish man named Hussain Abbas. So what's it like running a bar in a dry country? I asked. "We serve only soft drinks and snacks," he replied. Is that right? I said, taking a sip of my beer. He looked annoyed. "I repeat again, we do not serve alcoholic beverages."

It went on like this for half an hour, the manager becoming increasingly adamant and agitated—"We don't sell liquor here!"—as I made my way through two pints.

The weirdest part was, the manager didn't have anything to hide, at least not from the government. He wasn't doing anything illegal. The Bassment operates with state approval, a nod to the necessity of keeping the international press corps well liquored. He didn't fear a police raid. He feared his fellow citizens.

Booze is an emotional subject in Pakistan. Islam (according to some interpretations anyway) prohibits intoxicants of any kind. In contrast to hashish, which is made locally and is therefore widely tolerated, alcohol is seen by fundamentalist Muslims as a symbol of Western decadence. Many secular Muslims see it the same way, which may account for why so many of them serve alcohol in their homes.

Go to dinner at the house of an educated, affluent Pakistani and the first thing you're likely to be asked is: Would you like a Scotch? (Thanks to centuries of British rule, it's always Scotch.) This isn't a question so much as a statement. By offering you a drink, your host is signaling his sympathy with the West, and his contempt for Islamic fundamentalism. My country is being hijacked by crazies, your host is saying without saying it, but on some level I'm not playing along. In Pakistan, having a bottle of bootleg Johnnie Walker in your house is a subtle expression of rebellion and independence, the equivalent of wearing a thong under your uniform, or keep-



Fred Harper

Tucker Carlson, a host of CNN's Crossfire, *is a contributing editor to* THE WEEKLY STANDARD.

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ing a pet cockroach in your cell.

For many older Pakistanis, it is also an exercise in nostalgia. The Islamic Republic of Pakistan wasn't always so relentlessly Islamic. Thirty years ago, it was not uncommon for middle-class Pakistanis to wear Western clothes, go to night clubs, and send their kids to Christian convent schools. Religious minorities were tolerated. (In the '50s, there was even an operating synagogue in Karachi.) There was every expectation that Pakistan would continue to go the way of Turkey, an essentially secular country with a largely Muslim population.

That didn't happen. For a number of complicated and still-disputed reasons, the march toward Westernization halted in the late 1970s, as a succession of presidents made political alliances with the fundamentalist fringe. The cultural changes were immediate, and characteristically cosmetic. Women stopped appearing in public in revealing clothing. Men began shortening their trousers to a religiously acceptable length. (In Pakistan, floodwater pants are considered a mark of piety.) The country got prohibition.

Liquor had been restricted since the country was founded, but only sort of. Muslims could still buy booze with a doctor's prescription. This loophole was closed. In 1978, Gen. Zia ul-Haq shuttered all liquor stores. The next year, he passed a broad prohibition order. Thirsty Muslims turned to Christian bootleggers (who were permitted to purchase liquor with a permit) or flew to Dubai for the weekend.

These were especially tough times for Minoo Bhandara, the Zoroastrian CEO of the Murree Brewery, Pakistan's lone producer of alcoholic beverages. The company was founded in 1861 to supply British troops. In 1947, it was passed to Bhandara's family, which has continued to brew beer and distill whiskey for (increasingly limited) local consumption. If you were to write a cultural history of Pakistan, Bhandara is one of the first people you'd want to interview. But you'd have to find him first.

Getting into the Murree Brewery in Rawalpindi isn't easy. Some years ago the buildings were torched by a Muslim mob, and security has been tight ever since. There's a high wall around the compound and armed guards at the gate. Visitors are escorted to a concrete room while their credentials are checked. Photographs of the facility are not allowed, for fear they might wind up in the paper and incite violence.

Inside, the brewery looks more like a European colonial outpost than a part of modern Pakistan. The walls of Bhandara's office are covered with 19th-century lithographs of British soldiers on horseback. Though it was only 10:00 in the morning, he offered me a drink. I declined and asked him about the brewing business. He wasn't interested. He wanted to talk politics.

In a country where drinking is a political act, it's not surprising that the man who produces the drinks is political. And Bhandara is. He turned out to be by far the most outspoken person I interviewed in Pakistan. He wasn't afraid to savage religious leaders or the Pakistani government. (President Zulfikar Bhutto, who began enforcing prohibition before he was overthrown, "was drunk most of the time," Bhandara said.) Before I left, Bhandara handed me an op-ed he'd written explaining why Pakistan had "mollycoddled" creeps like the Taliban for so many years. He asked me if I could help get it placed in the *International Herald Tribune*. He seemed sort of desperate.

I admired him, but I couldn't help thinking he was reckless. If you run the only brewery in a nation seething with Islamic fundamentalism, do you really want to publicize your disdain for Islamic fundamentalists? Isn't that begging for another mob with matches? Bhandara pointed out the window. "The president lives across the street," he said. "Musharraf likes his Scotch." He meant it as a profound compliment. ♦

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The Missing Lynx

Is honesty in government an endangered species? BY WOODY WEST

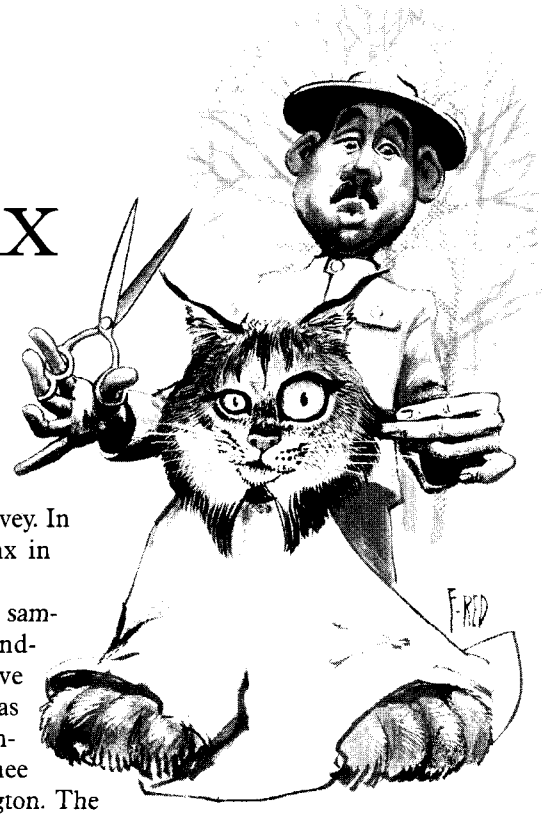

Illustration by Fred Harper

SOME CIRCUMSTANTIAL EVIDENCE is stronger than other, as when you find a trout in the milk—so wrote that old crank Henry David Thoreau. If there's not quite a trout in the suspected biofraud by government biologists studying Canadian Lynx, there surely is a minnow or two in the milk.

Not surprising that you may be drawing a blank about this sly affair, at least outside the Pacific Northwest: The story about seven federal and Washington state biologists who planted lynx hair during a survey of the "threatened" wildcat's Northwest habitat has hardly been touched except by the *Washington Times*. The *Washington Post* ran a once-over-lightly piece in wake of the *Times* disclosures. Otherwise, the national media, print and electronic, have carefully avoided the story. The reasons are both obvious and perverse: The lynx caper raises suspicion that zealotry on behalf of the Endangered Species Act may involve manipulation of evidence and mendacity in this instance—and if in this, in how many others as well?

The story to this point: A three-year survey was in progress to determine the natural habitat of the lynx and protect the critter—which shares turf with and regularly dines on snowshoe rabbits. A U.S. Forest Service employee blew the whistle on what appeared to be hanky-panky and notified the agency in September 2000. The agency did not respond to the whistleblower for six months, but finally looked into the case. It transpires that seven biologists planted false data in at least three and perhaps five instances—leaving lynx hair samples on rubbing posts to indicate the bobcat's presence in several of the 57 forests in 16 western states covered by the survey. In fact, the hair was from lynx in protected reserves.

Had the three phony hair samples been accepted, new land-use restrictions would have been imposed in the areas involved—the Gifford Pinchot and the Wenatchee National Forests in Washington. The protection of the supposed lynx could have involved limiting the thinning of forests to improve the neighborhood for the snowshoe hare, closing roads, and prohibiting off-road vehicles, snowmobiles, and similar intrusions by bipeds.

The biologists—three from the Forest Service, two from the U.S. Fish and Wildlife Service, and two employees of the Washington fish and wildlife department—admitted the fraud, but contended they had done it only to test whether a laboratory could identify the species through DNA analysis. It is unclear whether the investigators bought the biologists' hairy-dog story in part or in whole. In any event, one of the seven retired, and the other six were "counseled."

Legislators from the West have not found the lynx episode amusing. Rep. Scott McInnis of Colorado, chairman of a House subcommittee on forests and forest health, was unkind enough to wonder whether the Forest Service investigation "raises the specter that agenda-driven biologists may have taken matters into their own hands."

"[The survey] was rigged from the word go," James M. Beers, a retired Fish and Wildlife Service biologist, told Audrey Hudson of the *Washington Times*. "I'm convinced that there is a lot of that going on for so-called higher purposes." Chris West, of the American Forest Resource Council, charged that "these are cases of rogue biologists trying to influence natural-resources policy."

No Greenie has come forth yet to assert that such comments amount to biodiversital McCarthyism. But if House Republicans, who have asked the General Accounting Office for a complete audit of the lynx survey, hold hearings, you may count on hearing that nasty counterattack. The tendency of true believers is to defend any means to their end—to justify, in the name of Gaia or Good Housekeeping, any shortcuts to the finish line.

And, this just in—the minnows may in fact be trout: There's a report that a Washington state fish and wildlife biologist asked a taxidermist for grizzly bear hair samples last spring, which could have been used to taint a grizzly habitat study in that state. This may have led to further—and underhanded—regulation of recreation and the mining and timber industries. State Rep. Bob Sump of Washington, co-chairman of the Washington state House Natural Resources Committee, said the taxidermist became suspicious and contacted him. Curiouser and curiouser, isn't it . . .

By the way, doesn't anyone care about the "privileging" of the lynx over the poor snowshoe rabbit? ♦

Woody West is associate editor of the Washington Times.

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Recruiters for Jihad

Meet the Tablighi Jamaat—right here in the U.S.A. BY STEPHEN SCHWARTZ

THE INDICTMENTS of American Taliban John Walker Lindh and "shoebomber" Richard Reid will have broader consequences than many Americans imagine. As important as these cases are for the investigation of al Qaeda and related terrorist activities in Afghanistan, they should also make it possible to trace, identify, and shut down Islamic extremist recruiting networks with which both men had contact in the United States and Britain. These groups continue to operate with impunity in non-Muslim countries as well as in the Islamic world.

According to Lindh's own disclosures, he was trained by the Pakistani-based Harakat ul-Mujahidin (HUM), or Movement of Jihad Fighters. HUM has been identified as a terrorist organization by the State Department. Its main target area has been Kashmir. But the trail does not stop there. How did Lindh find his way to HUM?

The intermediary that introduced Lindh to HUM is a secretive international Islamic group that both Lindh and Reid joined, known as Tablighi Jamaat (TIJ), or Call to the Community. Lindh attended a small mosque in San Francisco run by TIJ.

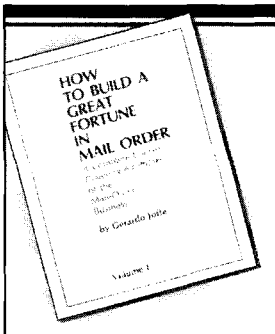
Tablighi Jamaat presents itself as nothing more than a prayer and study circle. Media accounts of Lindh's involvement with TIJ have quoted a University of California specialist, Barbara Metcalf, who recycles the movement's claim that its obsessive rhetoric about jihad refers only to "the jihad of personal improvement." Though it gets less mention, Metcalf herself has acknowledged in print having heard that the group is also committed to military action.

Government investigators do not seem to have taken much interest in TIJ's activities, perhaps fearful that agents will be seen as persecuting a religious group. An FBI representative in San Francisco comments vaguely, "It doesn't appear at all that [Lindh] was recruited here, that there were any cells or groups that told him to go over there and fight."

Such a remark betrays a misunderstanding of recruiting practices in the Islamic milieu. Joining the extremist worldwide jihad of the violent Muslim sect known as Wahhabism is not a matter of filling out a form. One does not have to go to a recruiting office to sign up. Mosques in Western countries (most of them funded by the Saudi government) are permeated with Wahhabist jihad rhetoric, encountered the minute one walks in the door. Some imams preach jihad; some tolerate it sympathetically; some oppose it privately but are intimidated into permitting it. But it is everywhere. If the imam does not advocate jihad, activists hang out on the premises, or on the sidewalks and in the parking lots nearby, spreading the word.

Young Muslims in the mosques of

Stephen Schwartz is completing a book, Two Faces of Islam.



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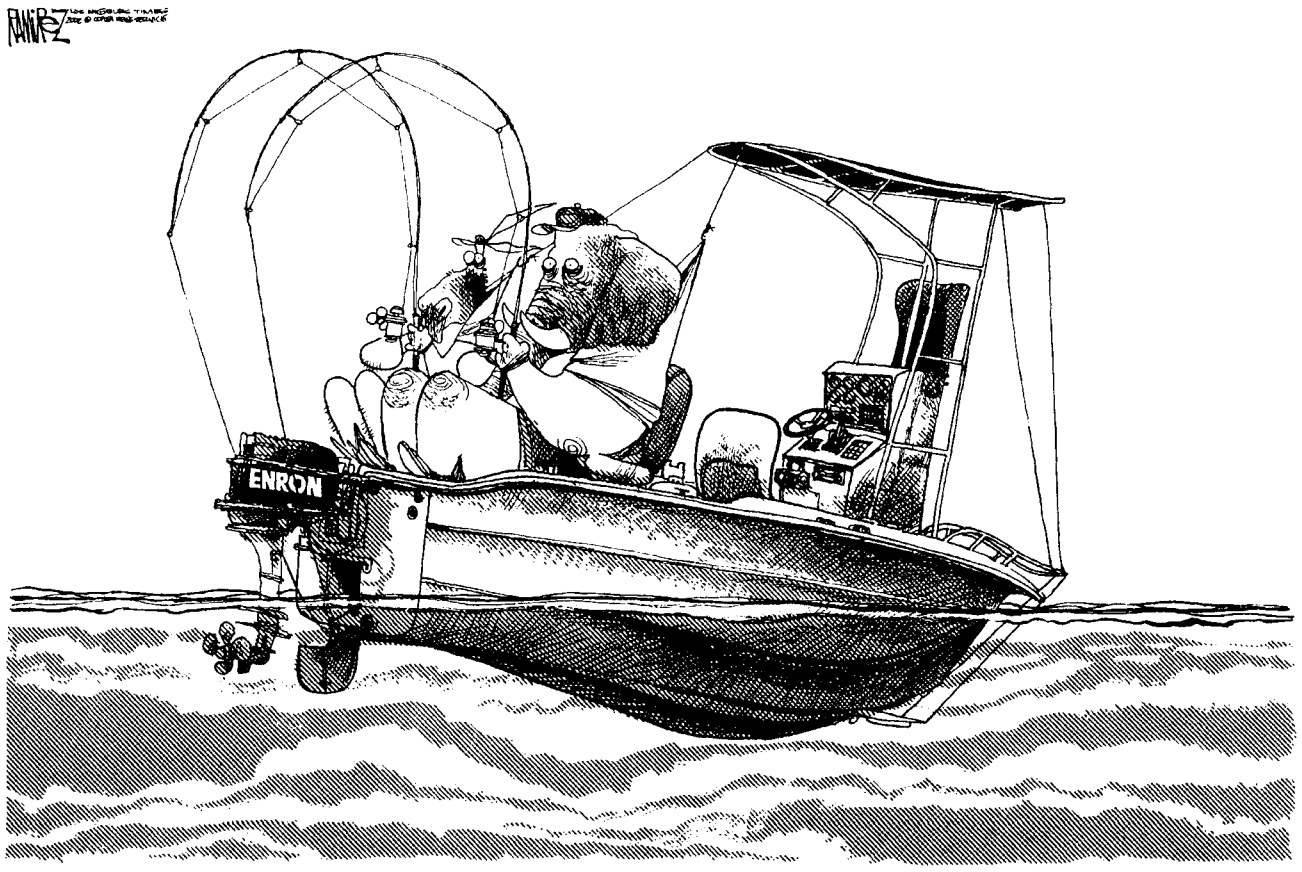
Western countries generally fall into two categories: children of immigrants uncertain about their identity, and new Muslims, or converts. To both, the Wahhabi message is simple and, for many, dazzling: You want to be one of the best Muslims; you must defend the victims of the wars on Islam in Bosnia, Chechnya, Israel, Kashmir, and more obscure places that have yet to make it into the media, like Burma. The way to jihad begins by joining a circle of likeminded people.

Tablighi Jamaat is such a movement. TIJ was founded in India in the 1920s, at a time of aggravated conflict between Muslims and Hindus, which has always been a pretext for the spread of Wahhabism in the subcontinent. In the past TIJ rejected the Wahhabi label while also claiming to stay out of politics. But in recent years it has undergone a transformation. It infiltrated the Pakistani government, and was left off President Musharraf's recent list of banned extremist organizations. However, Indian sources claim that it was a major supplier of recruits for the terrorist groups Musharraf has suppressed—groups that also supported Harakat ul-Mujahidin, which trained Lindh and sent him to Kashmir. American Muslim sources say TIJ indoctrinated its followers to fight for the Taliban and al Qaeda as well.

Whatever the fate of John Walker Lindh and Richard Reid, it is not enough to say that the war on terrorism will be a long one, fought on battlefields around the world. There is also an internal battlefield in the United States that has remained out of the limelight. That battlefield consists of groups like TIJ that the U.S. authorities seem to have overlooked, even after September 11, out of fear they would seem to be meddling in the protected area of purely religious endeavors. TIJ cells are recruiting on our soil as you read these words. ♦



Michael Ramirez

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Preempting Terrorism

The case for anticipatory self-defense

BY MICHAEL J. GLENNON

The Bush Doctrine, as promulgated by President Bush following the events of September 11, contemplates preemptive use of force against terrorists as well as the states that harbor them. If the United Nations Charter is to be believed, however, carrying out that doctrine would be unlawful: The Charter permits use of force by states only in response to an armed attack. In 1945, when the Charter was framed, this prohibition against anticipatory self-defense may have seemed realistic. Today, it is not. Indeed, it is no longer binding law.

Since time immemorial, the use of force has been permitted in self-defense in the international as well as all domestic legal systems, and for much the same reason: With states as with individuals, the most elemental right is survival. So powerful has been its claim that the right of self-defense was considered implicit in earlier treaties limiting use of force by states; the Kellogg-Briand Peace Pact of 1928, like the 1919 Covenant of the League of Nations, made no mention of it.

In 1945, the right was made explicit. Article 51 of the United Nations Charter states expressly: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations. . . ." Self-defense thus emerged as the sole purpose under the Charter for which states may use force without Security Council approval.

While the Charter professes not to "impair" the inherent right to self-defense, it does precisely that. Prior to 1945, states used defensive force *before* an attack had occurred, to *forestall* an attack. The plain language of Article 51 permits defensive use of force only *if* an armed attack occurs. If none has occurred, defensive force—"anticipatory self-defense"—is not permitted.

This new impairment of the right of self-defense was widely seen as sensible when the Charter was adopted. States had often used the claim of self-defense as a pretext for aggression. (The Nazi defendants at Nuremberg argued that Germany had attacked the Soviet Union, Norway, and Denmark in self-defense, fearing that Germany was about to be attacked.) If profligate use of force was ever to be reined in, narrower limits had to be imposed. And those limits had to be set out with a bright line; qualifying defensive rights with words like "reasonable," "imminent," or even "necessary" would leave states too much discretion and too much room for abuse. The occurrence of an actual armed attack was thus set up as an essential predicate for the use of force. The new requirement narrowed significantly the circumstances in which force could be used. And it set out a readily identifiable and, it was thought, objectively verifiable event to trigger defensive rights. Phony defensive justifications would be less plausible and war would be less frequent, thereby vindicating the first great purpose of the Charter—"to maintain international peace and security."

The impairment was realistic, it was further thought, because the need for anticipatory defense would diminish. The reason was that the Security Council would pick up where individual states were now compelled by the Charter to leave off. The Council, to be equipped with its own standing or standby forces, was authorized to use force in response to any "threat to the peace"—authority far broader than that accorded individual states. Coupled with the requirement that states report to the Security Council when using defensive force, this new institution—this "constabulary power before which barbaric and atavistic forces will stand in awe," as Churchill described it—would make anticipatory self-help a thing of the past.

All know that it didn't work out that way. Throughout

Michael J. Glennon is a fellow at the Woodrow Wilson International Center for Scholars in Washington, D.C., and professor of law at the University of California, Davis, Law School. He is the author of Limits of Law, Prerogatives of Power: Interventionism after Kosovo *(Palgrave, 2001).*

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AFP / Roland Holscheider

The La Belle discotheque in Berlin, after the Libyan attack

the Cold War the Security Council deadlocked repeatedly on security issues. States never gave the Council the peace enforcement troops contemplated by the Charter's framers. The Council authorized (rather than used) force only haphazardly "to maintain or restore international peace and security." And, as discussed later, states continued to use force often, obviously not in response to armed attacks.

Still, like most states, the United States never formally claimed a right to anticipatory self-defense—i.e., to use armed force absent an armed attack, so as to prevent one from occurring. During the 1962 Cuban Missile Crisis, the United States declined to rely upon Article 51, claiming instead that the "quarantine" of Cuba was authorized by the Organization of American States (and implicitly by the Security Council). When Israel seemed to assert a right to use defensive force to prevent an imminent Arab attack in June 1967, and even when Israel squarely claimed that right in attacking an Iraqi nuclear reactor in 1981, the United States steered clear of the issue of anticipatory self-defense. In 1986, however, the United States finally did claim the right to use "preemptive" force against Libya following the bombing of a Berlin night club that killed two Americans.

This last incident is worth considering closely: The Libyan bombing highlights the doctrinal confusion surrounding self-defense and also marks a proverbial "paradigm shift" in American thinking on the question. Why insist upon an actual armed attack as a precondition for the use of force? The axiomatic answer, under long-standing dogma, is of course that force is necessary to protect against the attack. But by acknowledging that its use of force against Libya was preemptive, the United States in effect moved beyond the conventional justification. The Berlin bombing was obviously over and finished; no use of force was, or conceivably could have been, instrumental in "defending" Americans killed at the Berlin club. The United States was not, in this sense, responding *defensively*. It was engaged in a forward-looking action, an action directed at future, not past, attacks on Americans. Its use of force against Libya was triggered by the Berlin attack only in the sense that that attack was *evidence of the threat of future attacks*. Evidence of Libyan capabilities and intentions sufficient to warrant preemptive force might well have taken (and, in fact, also did take) the form of intelligence reports. From a purely epistemological standpoint, no actual armed attack was necessary.

Although the United States did not spell out its thinking this explicitly, in later incidents it acted on precisely this future-looking rationale. True, the United States was in each instance able to argue that actual armed attacks had occurred. But in each of those subsequent incidents, the United States was *responding to evidence of future intent and capability*, not defending against past action. Its objective was to avert future attacks through preemption and deterrence.

In 1993, for example, the United States fired cruise missiles at the Iraqi intelligence headquarters in Baghdad following an alleged effort by Iraq to assassinate President Bush. But the assassination attempt was long since over; the United States used force not to defend against illicit force already deployed, but to discourage such force from being deployed in the future. In 1998, the United States fired cruise missiles at a terrorist training camp in Afghanistan and a pharmaceutical plant in Sudan following attacks on U.S. embassies in Kenya and Tanzania. Again, the provocation had ended; in no way can the United States be seen as having defended itself against the specific armed attack to which its embassies had been subject.

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So, too, with the use of force against Afghanistan following September 11. The armed attack against the World Trade Center and the Pentagon was over, and no defensive action could have ameliorated its effects. The U.S. use of force was prompted by the threat of future attacks. And it was evidence of that threat—gleaned from multiple intelligence sources, not simply from the September 11 attack—to which the United States responded with its action against Afghanistan. That action could well have been warranted even if September 11 had never occurred. The problem lay in the future, not the past.

In each of these incidents, the United States justified its action under Article 51 of the Charter, claiming to be engaged in the *defensive* use of force. But in fact something different was going on. In each incident, the United States was—as it acknowledged forthrightly following the 1986 bombing of Libya—engaged in the use of *preemptive* force. The two are not the same. The justification for genuine defensive force was set forth by U.S. Secretary of State Daniel Webster in the famous *Caroline* case of 1837. To use it, he wrote, a state must "show a necessity of self-defense, instant, overwhelming, leaving no choice of means, and no moment of deliberation." (This formula continues to be widely cited by states, tribunals, and commentators as part and parcel of the law of the Charter.) Obviously, in none of the incidents canvassed above can the American use of force be said to meet the *Caroline* standard. None of the American armed responses needed to be, or was, instant. In each the United States deliberated for weeks or months before responding, carefully choosing its means. Those means were directed not at *defending against* an attack that had already begun, but at *preempting*, or *deterring*, an attack that *could* begin at some point in the future.

The U.N. Charter's use-of-force rules have been regularly disregarded—notably in 291 interstate conflicts since 1945.

In fact, the United States had long ago accepted the logic of using armed force without waiting to be attacked. In the early 1960s, President Kennedy seriously considered launching a preemptive strike against the People's Republic of China to prevent it from developing nuclear weapons. In 1994, President Clinton contemplated a preemptive attack against North Korea for the same reason. During the Cold War, the United States retained the option of launching its nuclear weapons upon warning that a nuclear attack was about to occur—before the United States actually had been attacked—so as to protect command and control systems that were vulnerable to a Soviet first strike.

It thus came as no dramatic policy change when, in the Bush Doctrine, the United States publicly formalized its rejection of the armed attack requirement and officially announced its acceptance of preemption as a legitimate rationale for the use of force. "Every nation now knows," President Bush said on December 11, "that we cannot accept—and we will not accept—states that harbor, finance, train, or equip the agents of terror."

That formalization was overdue. Twenty-first-century security needs are different from those imagined in San Francisco in 1945.

First, as noted above, the intended safeguard against unlawful threats of force—a vigilant and muscular Security Council—never materialized. Self-help is the only realistic alternative.

Second, modern methods of intelligence collection, such as satellite imagery and communications intercepts, now make it unnecessary to sit out an actual armed attack to await convincing proof of a state's hostile intent.

Third, with the advent of weapons of mass destruction and their availability to international terrorists, the first blow can be devastating—far more devastating than the pinprick attacks on which the old rules were premised.

Fourth, terrorist organizations "of global reach" were unknown when Article 51 was drafted. To flourish, they need to conduct training, raise money, and develop and stockpile weaponry—which in turn requires communications equipment, camps, technology, staffing, and offices. All this requires a sanctuary, which only states can provide—and which only states can take away.

Fifth, the danger of catalytic war erupting from the use of preemptive force has lessened with the end of the Cold War. It made sense to hew to Article 51 during the Cuban Missile Crisis, when two nuclear superpowers confronted each other toe-to-toe. It makes less sense today, when safe-haven states and terrorist organizations are not themselves possessed of preemptive capabilities.

Still, it must be acknowledged that, at least in the short term, wider use of preemptive force could be destabilizing. The danger exists that some states threatened with preemptive action (consider India and Pakistan) will be all too ready to preempt probable preemptors. This is another variant of the quandary confronted when states, in taking steps to enhance their security, unintentionally threaten the security of adversaries—and thus find their

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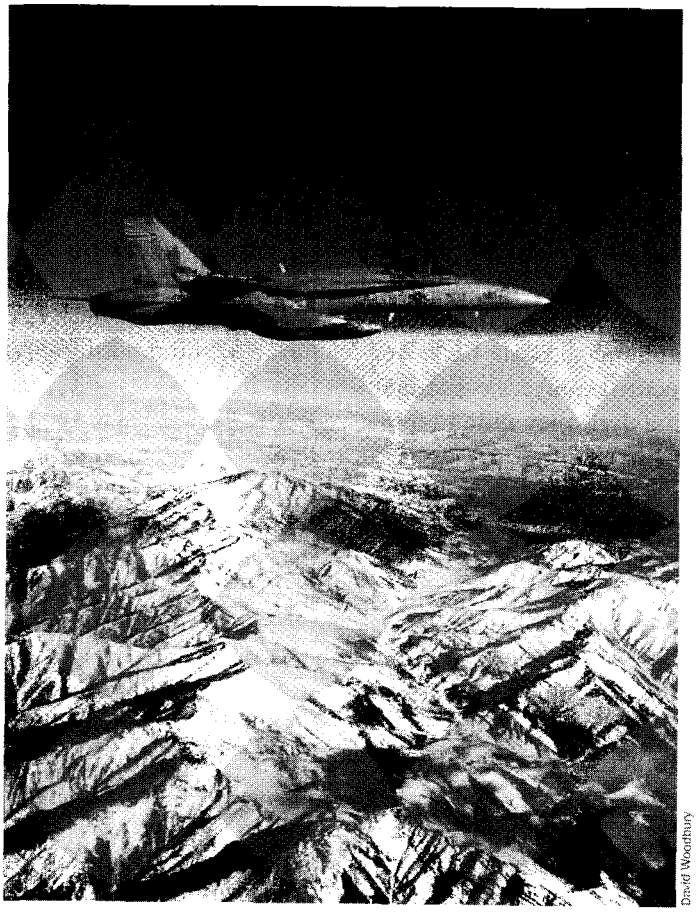
own security diminished as adversaries take compensatory action.

But the way out of the dilemma, here as elsewhere, is not underreaction and concession. The way out lies in the adoption of prudent defensive strategies calculated to meet reasonably foreseeable security threats that pose a common danger. Such strategies generate community support and cause adversaries to adapt perceptions and, ultimately, to recalibrate their intentions and capabilities. That process can take time, during which the risk of greater systemic instability must be weighed against the risk of worldwide terrorist attacks of increased frequency and magnitude.

The greater danger is not long-term instability but the possibility that use of preemptive force could prove incomplete or ineffective. It is not always possible to locate all maleficent weapons or facilities, thereby posing the risk that some will survive a preemptive strike and be used in retaliation. Similarly, if a rogue state such as Iraq considers itself the likely target of preemptive force, its leaders may have an incentive to defend with weapons of mass destruction—weapons they would not otherwise use—in the belief that they have nothing to lose. A reliable assessment of likely costs is an essential precondition to any preemptive action.



David Woodbury

Anticipatory self-defense over Afghanistan, Dec. 26, 2001

These are the sorts of considerations that policymakers must weigh in deciding whether to use preemptive force. Preemption obviously is a complement, not a stand-alone alternative, to non-coercive policy options. When available, those options normally are preferable. The point here is simply that preemption is a legitimate option, and that—the language of the Charter notwithstanding—preemption is lawful. States can no longer be said to regard the Charter's rules concerning anticipatory self-defense—or concerning the use of force in general, for that matter—as binding. The question—the sole question, in the consent-based international legal system—is whether states have in fact agreed to be bound by the Charter's use-of-force rules. If states had truly intended to make those rules obligatory, they would have made the cost of violation greater than the perceived benefits.

They have not. The Charter's use-of-force rules have been widely and regularly disregarded. Since 1945, two-thirds of the members of the United Nations—126 states out of 189—have fought 291 interstate conflicts in which over 22 million people have been killed. In every one of those conflicts, at least one belligerent necessarily violated the Charter. In most of those conflicts, most of the belligerents claimed to act in self-defense. States' earlier intent, expressed in words, has been superseded by their later intent, expressed in deeds.

Rather, therefore, than split legal hairs about whether a given use of force is an armed reprisal, intervention, armed attack, aggression, forcible countermeasure, or something else in international law's over-schematized catalogue of misdeeds, American policymakers are well advised to attend directly to protecting the safety and well-being of the American people. For fifty years, despite repeated efforts, the international community has been unable to agree on when the use of force is lawful and when it is not. There will be plenty of time to resume that discussion when the war on terrorism is won. If the "barbaric and atavistic" forces succeed, however, there will be no point in any such discussion, for the law of the jungle will prevail. Completing that victory is the task at hand. And winning may require the use of preemptive force against terrorist forces as well as against the states that harbor them. ♦

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Distinguishing Terrorists from Busboys

How to think about immigration

By Tamar Jacoby

When Secretary of State Colin Powell and Mexican foreign minister Jorge Castaneda met in Washington on January 10, they resumed talks on a critical issue sidelined by September 11: immigration reform. It was bound to come back. For though the attacks raised security concerns that may make it harder now to reach a deal, they didn't repeal geography or demography or the realities of American labor markets, and the contradictions in U.S. border policy haven't gone away.

For more than two decades, foreign workers have been flooding into the United States, but public policy has failed to keep up with the country's increasing dependence on their labor. The result: a vast population of illegal immigrants (8 million and counting), endemic confusion at the Immigration and Naturalization Service, and chronic hypocrisy in Washington. Both political parties see that our immigration law is broken, but their prescriptions for fixing it have historically been so different that reform was hardly worth broaching.

Republicans have traditionally favored guest-worker programs, which import laborers as needed, then send them home when the job is finished, without providing for their families or retirement and without changing the ethnic composition of America. Democrats and union leaders, on the other hand, have advocated amnesty for illegal workers already in the country, an option that promises new recruits for unions and the Democratic party. Historically, each side saw the other's favored solution as anathema: Republicans viewed amnesty as an incentive for lawlessness, while Democrats equated guest-worker programs with exploitation of foreigners and unwelcome competition for the native-born. The breakthrough, which came in July 2001, was the idea of a package deal combining a guest-worker program with the gradual regularization of illegal migrants.

It was an idea born by accident: something the Bush team tripped over and then embraced in an effort to appeal to Latino voters. Early in his term, Bush reached out to Mexican president Vicente Fox, and the two men launched talks about easing tensions on the border. The White House came to the table with a conventional Republican guest-worker proposal, but Fox pressed relentlessly for amnesty, and by the time memos started leaking out of the negotiations, in mid-summer 2001, the two notions were linked, though exactly how was unclear.

Bush himself said nothing publicly about amnesty, preferring vague comments on the benefits of immigration and the importance of Mexico as an ally. Other administration officials were only a shade more specific. "We're proud of the fact that we offer opportunities for people to come to this country and to make a living," Secretary Powell declared, "some to go back, some to ultimately become American citizens. We want to regularize this." But without anything yet in writing, the immigration debate had been transformed.

The decision to champion a double-barreled approach was a brilliant political maneuver on Bush's part. Not only did he steal an issue—humane immigration reform—from the Democrats, but the package he hinted at triggered a tidal wave of enthusiasm among Latinos. Congressional Democrats scrambled to outdo the president with similar proposals of their own, and a little feast of bipartisan ethnic pandering ensued. By the end of the summer, it looked as if there might be a consensus in the offing, some kind of "grand bargain" that combined regularization of illegal workers with an increase in the number of temporary visas. If done right, this has the makings of a model policy. Still, the inchoate proposals that were floating around Washington last summer—and which will surely be revived now—need

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to be tempered and refined before they can be embodied in legislation.

Most of the pieces of the solution are already on the table, suggested by the White House, Mexico, someone in Congress, or a Washington think tank. The problem is putting them together in a way that not only works but is true to our values.

Instead of political horsetrading as usual, we ought to start by agreeing on fundamental principles. The basis for a successful immigration policy—the key criterion for who we ought to let in and what we should encourage—should be work. The president hardly seemed to know how novel or important an idea he had stumbled on, but he got it exactly right when he proclaimed last summer: "If somebody is willing to [do] a job others in America aren't willing to do, we ought to welcome that person to the country."

The second basic tenet that ought to undergird reform: If a worker wants to remain in the United States and demonstrates his seriousness by taking steps to assimilate, the law should make it possible for him to stay. With these principles clear, it is a short step to the notion of "earned legalization," a new approach gaining credence in Congress that could get around the shortcomings of both amnesty and guest-worker programs.

'Earned legalization' would allow undocumented workers to come in out of the shadows—but wouldn't reward law-breaking.

Amnesty is the more politically sensitive of the two ideas, and rightly so. Public policy shouldn't reward lawbreakers or encourage wrongdoing. And we owe it to immigrants who have abided by the rules and entered the country legally to recognize their claims before we admit those who have taken the law in their own hands.

Still, surely there is a way to allow undocumented workers eventually to come in out of the shadows. Earned legalization would accomplish this without rewarding anyone for breaking the law. On the contrary, what it would reward is work and assimilation. To participate, one would already have to be working in the United States. And one couldn't advance up the ladder toward a permanent visa—or ultimately citizenship—without working for several more years and paying taxes.

One particularly promising proposal, floated by Demetrios Papademetriou of the Migration Policy Institute, is a point system. Migrants would get points not just for holding a job, but also for learning English, residing stably in one place, staying on the right side of the law, and participating in civic affairs—in short, for integrating into American life. Undocumented laborers earning their way to legality could be barred from receiving means-tested government benefits, and they could be required to pay a fine that no legal immigrant would be asked to pay.

But the guest-worker idea, too, needs to be refined if it is to be consistent with American principles. At present, the INS issues a grand total of 5,000 permanent visas a year to unskilled workers, despite the fact that the economy absorbs several hundred thousand, and many applicants currently wait more than a decade for an entry permit. (Imagine if government stupidity created a 10-year delay for importing a raw material needed by American manufacturers.) No wonder most unskilled workers come illegally—the system all but guarantees it. There is no other path for those without family here.

The problem with guest-worker programs is that they are almost invariably exploitative. Mired in bureaucracy, they tend to be plagued with patronage and corruption. Traditionally, foreign laborers have been licensed to work only for the employer who sponsors them—an invitation to abuse and mistreatment. Substandard wages, inhumane working conditions, and employee blacklisting are routine, and—because the unregulated labor market almost always works better—the programs inevitably engender a parallel, underground labor exchange.

Perhaps worst of all, because of the requirement that guest workers eventually go home, they have no shot at membership in the American body politic. Germany's infamous *gastarbeiter* program shows what can go wrong. For decades, Germany admitted unskilled foreigners exclusively as temporary guest workers with virtually no hope, even if they ended up staying, that either they or their children would become German citizens. Do we too want a permanent caste of noncitizen foreign laborers? Can we sustain a nation divided between bona fide members and toiling, underprivileged nonmembers? The question answers itself. But that's where we're headed—our huge undocumented population has even fewer rights than Germany's imported Turkish labor force—and a new guest-worker program would only make things worse.

How to avoid these pitfalls? First, any sound program must be market-driven. The number of visas available at the outset should match the number of workers the black market is now bringing in illegally—many

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'TOO MANY COOKS'

"O.K. Rudy, do you know what," began the legendary New York City mayor, Fiorello La Guardia, "from one Italian-American to another, too many cooks spoil the minestrone."

"What do you have in mind, Mr. Mayor?"

"The World Trade Center and what to do about it," said Fiorello. "It's like a pizza with too much on it. It confuses everyone's taste."

"Your thoughts, sir? We can pass them along to Mike Bloomberg."

"Just two," Mr. La Guardia continued. "But first, resurrecting the WTC should not be strictly commercial. It's forever in the tradition of Bunker Hill, Gettysburg and Pearl Harbor, yet another link in the chain of events that unified a nation."

"Yes, sir. Well put. What else?"

"Reserve lodgings in either Tower, there are two solely for the use of proven family members who lost a loved one in the disaster. Let them stay there a few days or over a weekend. Their cost is only token. That's the first thought."

"Then, what next?"

"Provide a holy place with room enough for anyone of any faith to worship their God. They will pray for the innocent victims and brave men and women who gave their lives in an effort to save so many others."

"Wonderful, Mr. Mayor," Rudy complimented mayor La Guardia. "You have given me an idea," Rudy said. "Let's hear it, my boy," Fiorello encouraged Rudy.

"Create a meeting place or center in one Tower or the other. It's only available to fellow citizens whose lives have been cruelly interrupted by some catastrophe where they live, like flood, fire, other accidents or worse. To this meeting place come those afflicted. They receive counsel, guidance and reassurance from experts in the field of chaos and disaster."

"Great, Rudy, great. This makes for number three."

"Here's a thought, Mr. Mayor, to accompany our three ideas," Rudy said. "Above the entrance to such a center or meeting place, erect a sign. Let it say, "WTC – Welcome to Chapter One."

"And?" asked mayor La Guardia.

"Bunker Hill, Gettysburg, Pearl Harbor and now 9/11. The World Trade Center is two things," said Rudy Giuliani. "It's a story with always only chapter one. There's only a beginning and never any ending."

"What else, my boy?" asked mayor La Guardia, impatient to hear.

"Well," Rudy went on, "those same events just mentioned are also priceless jewels in a necklace around the lovely throat of Lady Liberty. As you can plainly see, she looks forever toward the great catastrophe in her line of sight. Each precious stone in her necklace embellishes an unforgettable event that unified a nation and destroyed an enemy hell-bent upon its destruction."

"Let's hope our thoughts will spark better ones," sighed Fiorello La Guardia. "Until they do, my boy, we've done our best."

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more than anyone in Washington has been thinking of, in the range of 300,000 a year. Requests for entry might initially outstrip that figure, but the law of supply and demand would soon kick in. Already when unemployment rises in the United States, word gets back to Mexico and fewer new migrants make the trip. Even the most eager foreign worker would rather be unemployed at home than in the United States, where the winter is cold, life is expensive, and the comforts of family are often a distant memory.

Counterintuitive as it may seem, creating a true market would also be the best way to protect the labor rights of immigrants. Unlike in the past, the government should not match migrants with employers, and workers should not be required to stay with a single sponsoring boss, but rather should be issued work permits they can take with them from job to job, enabling them to bargain for wages and working conditions like other laborers. Democrats will complain that this means unfair competition for American workers. But in fact, legal migrants who can bargain for market-rate pay will be far less likely than those here illegally to undercut the wages of the native-born. Besides, in labor markets as in all other kinds, it does a nation no good in the long run to protect uncompetitive domestic inputs.

Let the INS stop chasing busboys and farmhands and get on with the job we really need it to do: intercepting terrorists and bona fide criminals.

But the most important feature of any new work-visa program is that it be open-ended. People who have entered the country as temporary workers should be eligible to become permanent residents and eventually citizens. Immigrant workers rarely come with the expectation of staying permanently. Most want to make some money and go home. But over time, particularly if they raise children in this country, they often find themselves anchored here.

Today's Latino migrants are even more likely to come and go than previous waves: The overwhelming majority work in the United States for a while, then return home, then eventually make the trip north again, retracing their steps many times over the course of their lives. From Mexico's point of view, this is a good thing, since workers who return home bring their new skills and savvy with them. But ultimately this country's interest is different: Surely we would rather encourage a more stable work force, one made up of families rather than single men, and one that sees the value, as longer-term migrants do, of learning English, upgrading their work skills, and investing in education. We can't force anyone to stay and wouldn't want to, but a guest-worker regime that doesn't permit participants to get on a ladder to citizenship only guarantees the kind of churning, permanent underclass we should hope above all to avoid.

At the end of the day, then, the two arms of an earned-legalization reform should converge. Temporary laborers who decided they wanted to stay should be able to make their way through the same earned stages, using the same point system, as illegal immigrants working toward legalization. INS policy could be radically streamlined, much to the relief of both U.S. business and aspiring newcomers. Not only would the same basic rules apply to new migrants and workers already here illegally, but similar rules might apply to skilled and unskilled workers. So too with the question of which nationalities should benefit: A deal with Mexico would be a good first step, but it should lead to across-the-board reform. Eventually, one set of basic rules and regulations should apply to everyone, and all foreigners who want to stay should be expected to follow a similar path—the path of stable work leading to assimilation.

This would be a radical overhaul by any standard, and there is much to be done to make it a reality—both in our negotiations with Mexico and in Congress. The challenge is to assemble the elements in a way that advances our values, none more important than the American ideal of inclusion. "That's the key to immigration in America," argues Frank Sharry, executive director of the National Immigration Forum. "That's the reason it works. We admit people legally on a path to full participation—to citizenship and integration."

Paradoxical as it seems, immigration reform that regularized the status of millions of productive workers would also be one of the best ways to secure our borders. As things now stand, our unrealistic laws have created a vast shadow realm: a secret, exploitative economy, but also a criminal underworld, peopled by smugglers and forgers and unscrupulous attorneys, that makes a mockery of the law and only invites further wrongdoing.

Cracking down on illegal immigration cannot eliminate this parallel universe, since we need the workers; getting tough would only drive it further underground. Why not try instead to bring this continuing migration into the sunlight, recognizing millions of laborers who contribute to America while reducing the opportunities for criminality? Then the INS could stop chasing busboys and farmhands and get on with the job we really need it to do: intercepting the terrorists and other bona fide criminals who seek to violate our borders and do us harm. ♦

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In Praise of "Coming Out" (Or: You Tell & We'll Ask)

There's a debate taking place in Catholicism as to whether homosexual teachers in Catholic schools should "come out" — i.e., make their sexual orientation known to their students. In the Jesuit weekly, *America*, Bishop Thomas Gumbleton, who has a reputation for being "gay-friendly," forthrightly staked out his position: "I urge that teachers in Catholic schools be free to allow their sexual orientation to be known [and]...the same thing should be true of priests and religious."

Fine. This is how we think the scenario will — or should — play out: A certain percentage of teachers, priests, and religious declare publicly that they're homosexual. They've broken the ice, and since they're *telling*, we can *ask*. The 64-thousand-dollar question of course is: "Are you celibate or not?"

Those who answer in the affirmative are given a medal to wear — no, we're *not* being facetious, for they *deserve* a medal in this day and age. As for those who answer in the negative, they are immediately fired or defrocked. (And yes, this applies to bishops too.)

And so as not to be discriminatory, unmarried *hetero*sexual teachers and *hetero*sexually-oriented priests and religious will also be expected to declare themselves, and under the same conditions.

Surely all *celibate* homosexuals will be delighted to "come out" under these terms. But there will be those homosexually-active teachers, priests, and religious who will not come out. And there will be some heterosexually-active priests, religious, and unmarried teachers who will not declare themselves. Now, those who do not come out or declare themselves will come under grave suspicion. Such teachers will have to fish or cut bait, and such priests and religious will have to do so too — decide if they're really going to keep the *vows* they *freely* made. Therefore all priests and religious and unmarried teachers will be *required* to come out or declare themselves and answer the 64-thousand-dollar question.

Soon all our unmarried teachers, and all our priests and religious, will be wearing those medals, for those who refuse to come out or declare themselves will also have been terminated. Why, this program just might eliminate the term "sex scandal" from the Catholic lexicon.

So thank you, Bishop Gumbleton, for a brilliant idea.

As you can see, we at the NEW OXFORD REVIEW, an orthodox Catholic monthly magazine, like to have a little fun with our adversaries. We're "cheeky" (as *Newsweek* says) and we've got "attitude" (as Karl Keating says). There's a civil war going on in the Catholic Church — indeed, in all of Christendom — and we like to fight it wherever possible with wit and mirth. And we cover the full range of issues of concern to orthodox Christians.

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The Spy Who Went to Mass

By Justin Torres

Robert Hanssen

AFP

What are we to make of Robert Hanssen—loving family man, devout Catholic, and one of the most damaging spies in American history?

Three new books about Hanssen have arrived just as his final plea agreement—life in prison without parole, but no seizure of his house or pension—takes effect. The best is Elaine Shannon and Ann Blackman's *The Spy Next Door*, which avoids the worst excesses of the pop Freudianism that mars all the books. David Vise's *The Bureau and the Mole* is useful for its account of the arrogant FBI culture that allowed Hanssen to go undetected for years. Adrian Havil's *The Spy Who Stayed Out in the Cold* presents the elaborate process by which the espionage was carried out. Unfortunately, all three books are hurried, their authors all rushing to be first in print. Each does some reporting that goes beyond the original newspaper accounts, but none makes much headway toward explaining the man.

To be fair, that's not surprising. Robert Hanssen is a bundle of contradictions: a contented husband who dallied with a stripper, a daily communicant at Mass who habitually betrayed his wife, an anti-Communist who likened America to "a powerfully built but retarded child" and sold state secrets to the KGB for more than ten years.

Julius and Ethel Rosenberg were prompted by ideology, a sincere identification with America's enemies.

The Spy Next Door
The Extraordinary Secret Life of Robert Phillip Hanssen, the Most Damaging FBI Agent in U.S. History
by Elaine Shannon and Ann Blackman
Little, Brown, 288 pp., $25.95

The Bureau and the Mole
The Unmasking of Robert Phillip Hanssen, the Most Dangerous Double Agent in FBI History
by David Vise
Atlantic Monthly, 352 pp., $25

The Spy Who Stayed Out in the Cold
The Secret Life of FBI Double Agent Robert Hanssen
by Adrian Havil
St. Martin's, 352 pp., $25.95

Aldrich Ames and the Walker family were greedy. But Hanssen? None of the available answers is satisfying. His hatred of communism was genuine if, at times, a bit over the top, and in his entire career he pocketed perhaps $650,000—a fraction of what the Soviets and later the Russians would have paid for the information he sold them. He didn't live large; his house in Vienna, Virginia, was modest by suburban standards, and when arrested he was driving a three-year-old Ford Taurus. (Aldrich Ames, by contrast, bought a half-million-dollar house and a white Jaguar, and banked $1.6 million, supposedly on a government salary.)

Hanssen is also distinguished by the extraordinary damage he did to national security. His access to classified documents was astonishing; among other things, he revealed:

- NSA reports on flaws in the Soviet satellite communications system, which rendered useless a multi-billion dollar program designed to intercept secure Soviet communiqués by taking advantage of those flaws.

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• Two years of the National Intelligence Program, a planning calendar of the American intelligence community's activities for the following year.

• The existence of a multi-billion-dollar eavesdropping tunnel beneath the Soviet embassy in Washington. (The Soviets then used the tunnel to feed misinformation to the Americans.)

• The FBI espionage investigation of Felix Bloch, a State Department employee suspected of spying who was tipped off and slipped through the bureau's fingers.

• The identities of nine double agents within the Russian security apparatus, several of whom were executed.

Hanssen also sold the Soviets the Continuity of Government Plan, the highly classified program designed to ensure the president's survival and continued government operations in case of nuclear attack. With this information the Soviets began to devise an offensive nuclear strategy, convinced they could fight and win a nuclear war. We are lucky his espionage didn't precipitate nuclear war.

So what made him do it? A better question, perhaps, is how did he get away with it—the lying, the deceit, the overseas trips with hookers and secret sex life that composed one half of Robert Hanssen's split personality? It's startling that the people and institutions closest to him—including his family, the FBI, and his religious group, Opus Dei—all failed to see his disturbed personality and willfully ignored evidence of his deep flaws.

The failures of the FBI are particularly obvious. Hanssen was administered not one polygraph in his twenty-five-year career, even as he was exposed to increasingly more sensitive information. All three of the new books detail how an old-boys culture at the bureau resisted polygraphing. Higher-ups refused to believe that agents who had sworn an oath and often put their lives on the line could possibly go bad. That attitude went straight to the top. Havil notes in *The Spy Who Stayed Out in the Cold* that FBI director Louis Freeh, in a speech given just days after Hanssen's arrest, warned that "removing someone from a position based on a polygraph can ruin a career."

Even without a polygraph, Hanssen's erratic behavior should have sparked the attention of the bureau's internal spy hunters. Former co-workers recount his strange habit of flitting through the halls and insinuating himself into meetings and conversations where he had no business—trolling for information, as it turned out. In 1992, he hacked into his boss's computer and printed out a classified document, ostensibly to demonstrate the porousness of the bureau's electronic security.

Hanssen in 1968

This page and next: St. Martin's.

That the episode did not raise eyebrows is remarkable, especially in light of the strange incident a year later when Hanssen struck a female colleague who walked out of a meeting he was running. Hanssen was reprimanded and docked several days' pay, but the picture should have been clear of someone who was wound much too tight. Mark Wauck, a fellow FBI agent and Hanssen's own brother-in-law, advised his superiors in 1990 that Hanssen should be investigated, after the family discovered thousands of dollars in cash hidden in Hanssen's home. Nothing was done, and Hanssen went on to sell some of his most sensitive information to the Russians in the years to come.

More difficult to weigh is the failure of Hanssen's family, especially his wife Bonnie, to penetrate his deceit. Depending on Hanssen as the sole provider for a family with six children, she was in a difficult position. And she has rightfully come in for a great deal of pity with revelations about the vile ways that Hanssen betrayed her—posting nude pictures and pornographic stories about her on the Internet and inviting a friend to spy on the couple having sex. She has also resisted the temptation to abandon her husband and defend herself in the press. She swears never to divorce Hanssen, prays for him every day, and visits him in prison every week.

But victim though she is, Bonnie Hanssen is not completely clear of complicity in her husband's destruction. She knew that something was wrong, and she chose to sublimate that knowledge, placing herself and her children at risk. Over time, Hanssen's behavior became increasingly bizarre. He demanded that Bonnie change his pillowcase every day and twice snuck up behind a sister-in-law who was feeding an infant to touch her exposed breast (eventually, the woman refused to be alone with Hanssen).

Bonnie was unaware Bob had posted explicit stories about her on the Internet, but she certainly knew Hanssen had sexual secrets. Only days after their wedding, as Vise recounts in *The Bureau and the Mole*, Bonnie received a phone call from an old girlfriend of Hanssen's, who "bluntly told Bonnie that she and Bob had just made love and that she was the one he really had wanted to marry." Confronted, Hanssen admitted the adultery—but claimed that he had been entrapped by the woman and that he remained committed to his marriage with Bonnie.

Even for devout Catholics who abhor divorce, a betrayal of this kind just days after the wedding would lead most women to walk out. But Bonnie hung on—although she would never trust her husband: Years later, after her children began interning at the FBI,

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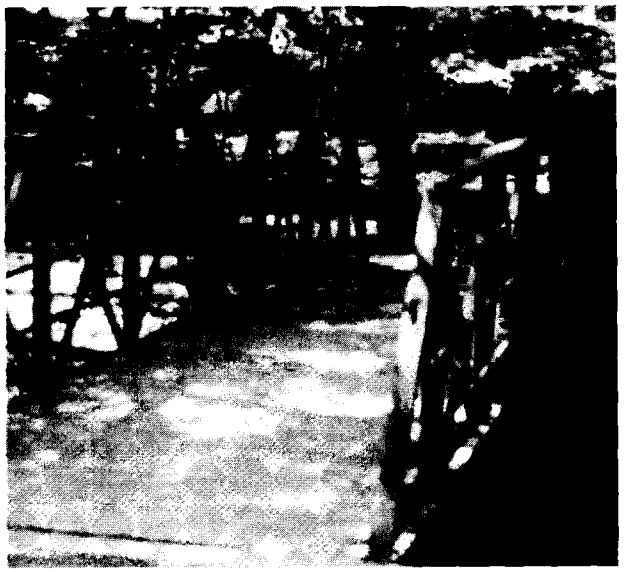

Left: The Wolf Trap bridge Hanssen used as a drop site. Right: A 1999 State Department photo with the unsmiling Hanssen in the center.

she would grill them about Bob's secretaries, asking whether they were pretty and whether he flirted with them.

But nothing points more clearly to Bonnie's complicity than a remarkable incident in 1980, when Bonnie came upon Bob counting out more than $20,000 in cash in the basement. He admitted he had sold information to the Soviets, though he claimed it was worthless "trash for cash." (In fact, he had revealed the identity of a longtime double agent within the GRU, Dmitri Polyakov, codenamed "tophat." Polyakov was later executed.) Bonnie dragged Bob to confession with an Opus Dei priest, Father Robert Bucciarelli, who according to Bonnie's later testimony exhorted Hanssen to pray, made him promise never to do it again, and had him donate the money to charity.

Many attacks have been made on Bucciarelli's penance. Shannon and Blackman even imply that Bucciarelli should have turned him over to the authorities, despite the well-known doctrine that Catholic priests cannot reveal the contents of the confessional, even under pain of death. Still, it's true that the priest failed to exercise prudential judgment in the matter. Bucciarelli's answer—pray and donate the money to charity—is laughably naive.

But if she and her husband got bad spiritual guidance from Bucciarelli, Bonnie Hanssen also failed to press the matter. It is too much to expect that any wife would turn in her husband. But if anything pointed to the need for a separation of some sort, or at least a serious turn to counseling, confessed espionage would seem to be it. One of the duties of Catholic marriage is, after all, to help your spouse attain heaven. Yet Bonnie, the daughter of a psychiatrist who had worked as an asylum nurse, did nothing. She continued to pretend that her husband's lapses were momentary, and that he was an essentially good man. She would pay a high price for that pretense over the years. By the time Hanssen was arrested, she needed a shot of NyQuil every night to get to sleep. Bonnie's first words upon hearing of his arrest are telling: "He did it, didn't he?"

Robert Hanssen's membership in Opus Dei is one of the things that makes his case so curious. Latin for "Work of God," and colloquially known to members as "The Work," the group is an organization of lay people founded in Madrid in 1928 by Monsignor Josemaria Escriva, who will be canonized a saint this summer.

Escriva's insight was that faith need not be divorced from everyday life, and that ordinary people living in the world have as compelling a call to sainthood as members of the clergy and can sanctify their daily life of work and family. The group sets a high standard, calling on members to pray and attend Mass daily and engage in spiritual and corporal works of mercy. In the United States, it runs a number of schools, after-school programs, youth camps, and inner-city programs, as well as about sixty centers where members come to receive spiritual training. Opus Dei members who live at the centers are called "numeraries"—celibate, non-ordained men and women who usually have normal professional careers. Married members who live outside the centers, like the Hanssens, are called "supernumeraries." (There are also a small number of Opus Dei priests, "associate numeraries," and "cooperators," non-members who donate money and draw from the group's spiritual resources.)

With perhaps eighty thousand adherents worldwide, it is a relatively small group, but its influence far outweighs its size. Accusing Opus Dei of exercising a dark, behind-the-scenes influence within the Catholic Church, its opponents call the group secretive and cult-like. The ascetical practices endorsed by Opus Dei are particularly disturbing to secularists, for whom the idea of taming the body through mortification is completely foreign (unless, of course, it involves gym membership and a Stairmaster).

As it happens, the dark fantasies of Opus Dei's critics do not square with the actual lives of most members. The idea that the group is a front for some sort of twisted, religious-fascist Spanish plot to seize control of society is laughable.

Unable to draw any direct connection between Hanssen's membership in Opus Dei and his espionage, the spy's biographers resort to a kind of

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Atlantic Monthly Press

Left: The spy Dmitri Polyakov, executed by the Soviets after Hanssen revealed his espionage. Right: Hanssen in court.

bait-and-switch: The worst accusations against The Work are presented with the implication that in some unspecified way Hanssen and Opus Dei were drawn to each other—like to like, the spy and the cult. Adrian Havil, by far the most irresponsible of all the authors on the subject, even repeats the bizarre canard that the group assassinated the short-lived Pope John Paul I in order to elevate their man, John Paul II.

But the failure of Shannon and Blackman's *The Spy Next Door*, Vise's *The Bureau and the Mole*, and Havil's *The Spy Who Stayed Out in the Cold* to understand the group's spirituality still leaves us the question: How does Opus Dei fit into the story of the various lives of Robert Hanssen?

A number of Opus Dei members, after Hanssen's arrest, proposed the simple answer that he used the group to distract attention from himself. Shannon and Blackman flirt with this idea, referring to Hanssen's religious life as "perfect cover" for his espionage. But almost everyone who knew Robert Hanssen testifies that he seemed sincere about his faith. James Bamford, an investigative author who befriended Hanssen, once joined the spy at an Opus Dei meeting. Bamford later wrote in the *New York Times*, "Hanssen was in his element. He reveled in that close society of true believers like a fraternity brother exchanging a secret handshake. Even today, despite all the allegations against him, his faith seemed too sincere to be a ruse."

Hanssen faithfully kept the external disciplines of a member, going to church every day at 6:30 in the morning and attending the required meetings and retreats. Twice a month, members meet with a spiritual director to plot their "plan of life," a pattern of devotions, sacrifices, and spiritual activities. The conversations are wide-ranging and extremely intimate. Frequent confession is encouraged, and members participate in a number of retreats and "circles"—classes on doctrinal and moral matters—every month.

Informal social bonds reinforce this systematic closeness. Members know each other, socialize together, and attend the same schools and churches. A child born into an Opus Dei family can move from play groups with children of other members, through Opus Dei schools, into a college that has an Opus Dei presence, and finally into activities for adult members, always nestled comfortably within the confines of The Work.

To members of Opus Dei still smarting from the betrayal, it's comforting but too easy to think Hanssen was deceptive through and through. Compartmented and compromised as Hanssen's religious faith was, it was sincere on some level. He undoubtedly misled his spiritual advisers much of the time. But he managed to exist within a close-knit, spiritually oriented organization for years without anyone realizing that he was mired deep in sins that were about to rip his family apart and send him to prison for the rest of his life.

Among Opus Dei members who knew Hanssen, the almost universal recollection is that he was a quiet, respectable man who rarely spoke and never attracted attention to himself. That is not how his colleagues at the FBI recall him. To them, he was intense and arrogant, incapable of the frivolous pleasantries that grease the social skids. It is telling that, with very few exceptions, no one who had a choice associated with Robert Hanssen. His co-workers and colleagues called him "Dr. Death" or "the Mortician," in reference to his dour demeanor and trademark black suits. They didn't invite him to lunch, didn't include him in their socializing, didn't make him part of the team. He had few friends, and those he did have he dropped as he progressed deeper into espionage. Above all, he could not stop talking about his various obsessions: the perfidy of communism, the horror of abortion, and so on.

Although they utterly failed in their primary duty to catch a double agent, his colleagues at the FBI and his various professional associates at least understood something about Hanssen the members of Opus Dei missed: that he was a repellently, unnaturally humorless man. There are almost no

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pictures of him smiling. The few that do exist (including the file photo that accompanied most news reports) show a smile that is painfully thin, sardonic, and inappropriate. His guilt must have been tremendous, and the strain shows in his face. Of course, we do not fully know what passed between Robert Hanssen and his confessors and spiritual advisers. Yet this joylessness, and the spiritual torment it indicates, never registered with his associates in Opus Dei—an organization whose founder once warned his followers, "Long faces, coarse manners, a ridiculous appearance, a repelling air. Is that how you hope to inspire others to follow Christ?"

Part of the answer is simple Christian charity, and part is the necessary benefit of the doubt given a fellow member (although Escriva has a maxim that covers that as well: "Faith, joy, optimism. But not the folly of closing your eyes to reality"). But a deeper part of the answer reflects a dynamic common to groups that are small, elite, close-knit, and utterly devoted to a cause. Hanssen's obsessive talk about sin and wicked beliefs would hardly seem out of place within an organization that defines itself against the general currents of a lascivious, secular society. If there was too much zeal in Robert Hanssen—after all, no one, not even the most committed anti-Communist or pro-lifer, talks about those subjects *all* the time—those eccentricities can be papered over by the force of common belief.

The Opus Dei plan of life has a small but, in this case, crucial blind spot: It renders its members unable to see what most people find strange about the life. They would not have been surprised to discover that Robert Hanssen's co-workers didn't like him; from the start Opus Dei has been dogged by the suspicions of people who misunderstood what it was trying to do. Escriva himself exhorted members to disregard the opposition of outsiders: "Don't be upset," he wrote, "when you state an orthodox opinion and the malice of whoever heard you causes him to be scandalized. For his scandal is pharisaical."

Members of Opus Dei set out to live with sanctity in the world—to do, as Escriva said (and George W. Bush quoted in his inaugural address), "small things with great love." But members of The Work do not fully fit in this world. And that creates a practical problem: Opus Dei acts as though the world has nothing to teach it, as though the world merely waits for The Work to enlighten its ignorance.

In this case, the world had something to say about the character of Robert Hanssen that should have troubled the spiritual elders within Opus Dei who accepted some measure of authority over his spiritual development. That message was not received because Opus Dei never expects to be instructed, even in practical matters, by those it hopes to instruct.

All this leaves the question of why Hanssen did it. His biographers arrive at a range of answers. For Havil, it comes down to ego: Hanssen was a profoundly self-centered man who was determined to show an unappreciative FBI how easily he could put one over on them. Shannon and Blackman blame his emotionally abusive father, who devastated the teenage Hanssen by denigrating his masculinity and resolve. For Vise, Hanssen was, beneath the withdrawn exterior, a risk-taker who sought out the riskiest deed he could imagine. And everyone agrees that while money was not Hanssen's primary motive, it certainly made things easier for a man with six children to feed and educate.

All these factors were in play, and probably more. The final answer to the question of motivation remains locked inside Robert Hanssen, who is locked inside a federal penitentiary. It seems likely we will never fully know why he did it and probable that he himself does not completely understand his reasons. There is, of course, something mysterious about sin and the dark regions of the heart from which it springs. But that mystery does not let us off the hook. The effects of sin are also written on our faces and in our actions. The challenge is to have the wit to see it and the courage to confront it. ♦

Under Western Eyes

What went right and what went wrong in the reform of Eastern Europe. BY MELANA ZYLA VICKERS

Building Capitalism
The Transformation of the Former Soviet Bloc
by Anders Åslund
Cambridge Univ. Press, 550 pp., $27

Two years ago in an interview, I asked Mikhail Khodorkovsky, chairman of Yukos Oil and one of Russia's leading oligarchs, whether it was possible to have risen to his financial heights without having been a well-connected Communist before the fall of the Soviet Union. "Of course not," he answered.

Melana Zyla Vickers worked on Ukraine's successful 1991 referendum for independence from the Soviet Union. She is a columnist for TechCentralStation.com.

Since then, few insights into the former Soviet Union's current state of affairs—not the belabored chronicles of Russia's loans-for-shares debacle, not the rationalizations about Ukrainian ex-Communists being better leaders than current Communists, not the bromides that "civil society" will in time cure all the region's ills—have matched the creepy oligarch's refreshingly candid remark.

Until Anders Åslund's *Building Capitalism*, that is. Where other writers have described the problems of the 1990s, the Carnegie Endowment schol-

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ar Åslund does the hard work of digging into the Soviet period to explain the problems' origins. An economic "big bang" is what separates the region's winners from its losers. The post-Communist countries that failed to reform their economies quickly sank into paralysis so deep it still mires them.

A big bang, most memorably detonated in Poland under Leszek Balcerowicz, requires national leaders to cut budget deficits in order to halt hyperinflation, tighten money supply through an independent, inflation-wary central bank, deregulate prices and end price subsidies, break up monopolies, open up to foreign imports and exports and make the national currency convertible, allow the rise of new private businesses, and sell off state-owned businesses. Economic reforms that failed to include all these elements were sure to fizzle.

What's worse, partial reform—or "gradualism" as Åslund contemptuously terms it—created a breeding ground for corruption. The Soviet Union under Gorbachev is a foremost example of gradualist reform. Back in 1988, the Soviets passed a banking law that allowed the establishment of republic-level central banks. These republican banks offered the USSR's new commercial bankers opportunities to borrow at low interest rates and to hold only minimal sums of money as reserves. The result was an instant class of commercial bankers—running 1,360 banks in Russia alone—who demanded that the state print for them vast sums of rubles that they in turn passed on to well-connected borrowers.

At about the same time, officials in the commodities bureaucracies were arguing that Soviet production would collapse if Soviet oil, natural gas, metals, chemicals, and other goods had to compete against cheaper goods from the outside world. And so, while export regulations blocked whole firms from selling goods on the world market, corrupt officials were able to buy large quantities of domestic goods privately and sell them on world markets at much higher prices.

Similarly, agricultural-sector officials argued that without subsidies to buy foreign food imports, foreign prices would gouge local people and they would starve. The officials got the subsidies, often in the form of credits with which to buy foreign commodities. According to Åslund, they didn't pass on the cheaper prices to consumers but kept the subsidies for themselves. Other enterprise managers made arguments in defense of workers, telling their central governments that without subsidies, layoffs would ensue. These officials opposed unemployment benefits that went directly to the workers, instead sucking funds into the enterprises they managed and pocketing them.

When enterprises failed to pay money they owed the government, they struck deals to "pay" it back through bartered services such as road construction. They'd value the public contracts

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at a high price, then carry out the work as cheaply as possible, shortchanging the project and eventually bankrupting the government.

Similar corruption, though not as deeply entrenched, existed in Central Europe. In aggressive reforming countries, corrupt "rent seekers" were denied the time and opportunity to entrench themselves. But in slow-to-reform states, corrupt officials established monopolies. Motivated to keep their niches, these rent seekers paid off the politicians along their path to continued wealth. Non-connected, honest reformers could not similarly buy friends and supporters in high places and eventually fell into the "electoral trap of underreform." What's worse, this rotten state of gradualism robbed real reforms of credibility: All the public could see was that "reform" made life seem as bad as before.

Åslund doesn't hide his disdain for left-leaning U.S. economists who can't piece together this picture of "bureaucratic counterrevolution." He rather memorably trounces former World Bank chief economist Joseph Stiglitz for lauding Gorbachev-era gradualism and for seeking to protect "organizational capital"—the institutions and officials who ran the old regimes. "That organizational capital consisted of the Communist party, the secret police, and the Red Army, which are rarely praised in democratic society. While democrats aspired to disrupt the dictatorship, Stiglitz hoped for its continuity."

Åslund also criticizes the sort of "national-mysticism" defense that one hears so often in the Slavic world—the self-flagellating argument that a given country's citizens are genetically unable to mount a successful, democratic-capitalist system. How is it that citizens in Polish Galicia are rip-roaring capitalists, while Ukraine's Galicians are poor, he asks? One side benefited from the big bang, the other fizzled—simple as that.

Åslund doesn't blame all the region's woes on internal factors. When the Baltic countries and Russia made early efforts to reform, the United States did not back them substantially. The Balts were ultimately helped by their European neighbors. But Russia faltered, and in its wake the smaller ex-Soviet republics rejected reforms as well.

Unfortunately, Åslund doesn't analyze convincingly why America didn't step forward. He does note that a new Marshall Plan for Eastern Europe was never a real option: The original Marshall Plan had "cost the United States 2 per cent of GDP a year, which would have corresponded to $125 billion in 1992. Nobody was prepared to put up that kind of money." Moreover, some conservatives saw little gain in helping the former Soviets to their feet, while Europeans on the political left "objected to the right-wing project of building capitalism. The fallen rulers were, after all, fellow socialists."

Åslund's prescription for future improvements is similarly spotty. He proposes a somewhat wishful theory that the corruptly enriched officials eventually compete against each other for remaining rents, with their rent-seeking economies thereby degenerating into liberal market economies. Pakistan and India, whose average citizens have toiled for decades in the twilight of semi-reform, suggests the unlikeliness of the idea. Åslund also calls for the region's countries to be allowed into the World Trade Organization, in the hopes that free trade will improve their fate. But he doesn't explain how the benefits of trade are to flow beyond the rent-seekers crowded at the troughs of the region's semi-reformed economies.

I doubt I'm the only Eastern Europe-watcher who wouldn't mind seeing the region's laggards jolted hard—by a Philippine-style popular uprising, perhaps, or a national scandal profound enough to anger citizens and topple one of these entrenched proto-Communist regimes. But mounting such change is up to the locals. Without them, no one on the outside can fix what ails Eastern Europe. ♦

Fathers & Daughter

Trilling, Barzun, Fadiman—and Carolyn Heilbrun.

BY MARTIN LEVIN

The archivist Otto Bettman once published a book entitled *The Good Old Days, They Were Terrible*. You could call this a subtext in Carolyn Heilbrun's intellectual memoir. What was good about the old days at Columbia University was a collection of stars in the liberal arts division. What was bad, according to Heilbrun, was institutional anti-Semitism and male hegemony. No argument: I was at Columbia in the 1940s and can bear witness.

When Men Were The Only Models We Had
My Teachers Barzun, Fadiman, Trilling
by Carolyn G. Heilbrun
University of Pennsylvania Press, 159 pp., $24.95

What is distinctive about Heilbrun is her focus on the good. Notwithstanding her credentials as a pioneer feminist in the academy, the best word I can find for Carolyn Heibrun is paradoxical. Married for a half century and the mother of three, the author of a book called *Toward a Recognition of Androgyny*, she is no androgyne. A self-proclaimed women's libber, she nonetheless offers this book as an intellectual love letter to three male academics: Lionel Trilling, Clifton Fadiman, and Jacques Barzun. "The three men . . . remain in my imagination still as the object of my hopes, as a lovely dream that satisfied some of my

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longings." She is even large-souled enough to overlook the antifeminist vibes emitted by Trilling and Fadiman. And her admiration for Barzun is undimmed by his having "expressed agreement with Jesse Helms" and being, on occasion, "male-centric."

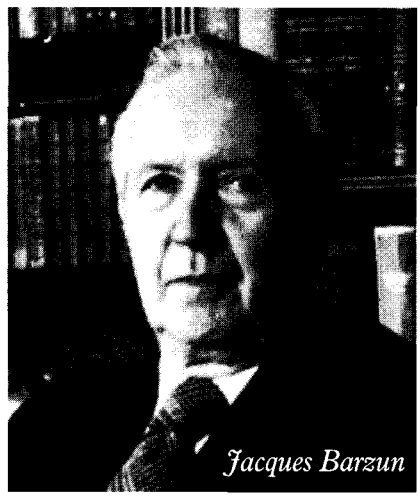
Barzun is the only one of Heilbrun's idols still standing. Now in his nineties, he has recently published an illuminating work of modern history, *From Dawn to Decadence*. Its arresting but well-supported conclusion is that, culturally speaking, "nothing has occurred after 1920." (She admires the book, but Heilbrun scolds Barzun for being "sadly unappreciative of contemporary art and culture, though he is marvelously correct in matters of teaching.")

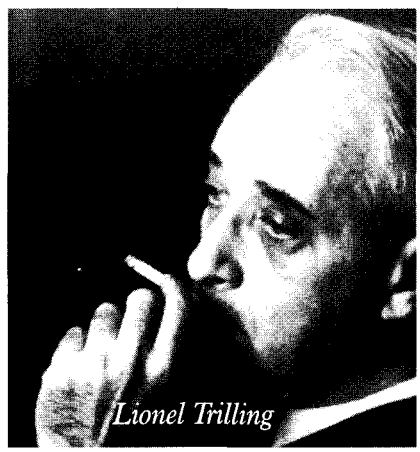
From Barzun Heilbrun got intellectual approval—"He encouraged me in my endeavors"—and something more. Of the three, "Barzun alone served not only as an example of how one might think and write and speak," but "reached across the abyss that divided us . . . to tender something close to friendship."

Clifton Fadiman was a classmate of Trilling's at Columbia, but he was denied a job at Columbia's English department because, as he was told, "we have room for only one Jew, and we have chosen Mr. Trilling." This Semitic minimalism propelled Fadiman into becoming a literary celebrity. His supple rhetoric as the *New Yorker*'s book critic enchanted Heilbrun, who was not turned off by the legendary Dwight MacDonald labeling him "the high priest of mid-cult."

Heilbrun regarded Lionel Trilling as her "intellectual father," albeit a distant one: "Because Trilling could balance gains and losses without disregarding either, because he was not convinced of the magnitude of his achievements, because he knew that the keenest expressions of morality and honor are in literature . . . he will remain perhaps the best exemplar left to us . . . of the literary mind and the literary consciousness."

The holder of an endowed chair in Columbia's English department and


Jacques Barzun


Lionel Trilling

Clifton Fadiman

Corbis; Farrar, Straus and Giroux; Reuters.

past president of the Modern Language Association, Heilbrun resigned from her job because she felt she was slighted because of her sex. ("I was made to feel unwelcome in my own department, kept off crucial committees, ridiculed, ignored," said Heilbrun in a *New York Times* interview.) In fact, Heilbrun had a generous share of recognition. And when she did resign, it was on the cusp of retirement after thirty-two years. There wasn't much to lose.

So it was a surprise that I found myself regularly on the same page as the professor. We suffered through the same seminar in contemporary British literature under James Joyce groupie William York Tindall ("a man frightened of women"). She prefers Dickens to Flaubert, agreeing with Fadiman that *Madame Bovary* is "without magic, without personality, it is not rereadable." And unlike Trilling she distrusts Freud ("because of his views of women and because of the Freudian psychoanalysts I had come to know").

Heilbrun drops a few duds, such as a disparaging reference to the male department brass as "the old triple named WASPS" like Harry Morgan Ayres and George Densmore Odell. The department head I recall was a tough tootsie named Marjorie Hope Nicolson who regularly kept full professors cooling their heels in the outer office while she schmoozed with her assistant. And there are left-kneejerk references to such things as "the bombing of Cambodia." Heilbrun needs to brush up on Cambodia via something more recent than 1972.

But these are minor flaws. Heilbrun is also, under the pseudonym "Amanda Cross," the author of a thriving series of mystery novels starring a female gumshoe. (Jacques Barzun is another highbrow mystery buff.) She says of her idols: "I still think of those three men as perfect in the hour when I first saw them, first transformed them into my models and my pattern of the intellectual life. Looking back on them is to be transported to another world."

However true this may be, it's a world that she played a role in demolishing. What's noteworthy about Heilbrun is that she represents the last gasp of a critical golden age. Ironically, she broke ground for dreary ideologues who don't share her zest for literature. Which is why her heart is closer to her male role models than to the feminist activists who followed her lead. ♦

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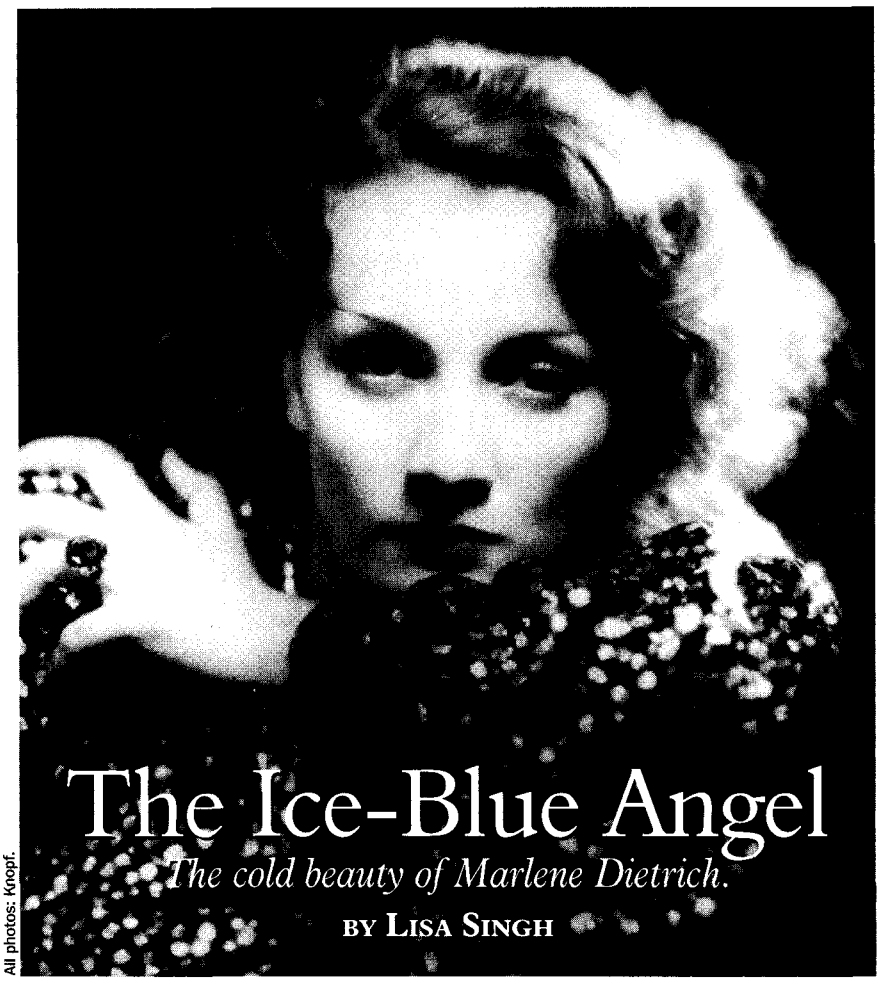

All photos: Knopf.

The Ice-Blue Angel

The cold beauty of Marlene Dietrich.

BY LISA SINGH

Just short of fifty and in the throes of an affair with Yul Brynner, Marlene Dietrich tried to get pregnant. She didn't succeed, but in the decades ahead, she reshaped her body to fit an image of eternal youth: a nylon foundation, a blonde wig, a sheer harness. The day came, though, when even she knew that no makeup or underwear or lighting could breath life into what was now a shell of that mythic figure, the aloof seductress of old. "*Ich bin ein praktischer Mensch*," she said, and as a practical person, she assembled inside her Paris apartment all the essentials for her last years. Beside her bed ran two low tables, where she stored liquor and a chamber pot fashioned from a Limoges pitcher.

Dietrich, that self-constructed image of beauty, disregarded time and denied much of her history. She maintained that she was an unknown drama student when Josef von Sternberg cast her in *The Blue Angel* (1930) as Lola-Lola, the fräulein who reduced men to degradation and worse. She was, in fact, a veteran of seven years and seventeen films, not to mention the walk-on parts as far back as 1919. She claimed, too, to be an only child. There was actually a sister, disavowed by Dietrich because of her work for the Nazis at Bergen-Belsen.

Marlene Dietrich
Photographs and Memories
compiled by Jean-Jacques Naudet,
edited by Maria Riva
Knopf, 288 pp., $40

Even for a woman who routinely reshaped facts to satisfy the myth, truths emerged here and there. When her *Judgment at Nuremberg* co-star, Maximilian Schell, came to her Paris apartment in 1982 to do a documentary about her, he described the "Dietrich persona" as "erotic." Dietrich, now a cranky old woman who refused to go on camera out of vanity, balked, "I wasn't erotic at all. I was snotty." Her laser-sharp self-assessment was lost on the critics, who saw it as disingenuous modesty. But what many mistake for the erotic is really a stance of cold contempt. Of arrogance, Dietrich once said, "On some people it looks good." She was thinking of herself, no doubt.

An American couldn't have gotten away with it. Just as Americans want to believe that every whore has a heart of gold, so they imagined that beneath this German expatriate's cold exterior was a sultry woman. In reality, she was nothing more than an aristocrat who won over a generous but naive public. Her co-conspirator was von Sternberg. (As did fellow Austrian Erich von Stroheim, he added "von" to lend hauteur to his name.)

Dietrich was thoroughly divorced from sentiment. Shortly after her death in 1992, her daughter, Maria Riva, wrote a massive tome in which she divulged, among other things, that her mother loathed sex, but when admirers asked for "it," she gave freely, knowing that that was the price to pay to keep her bevy of followers faithful. You can see some of her lover's letters, and other artifacts, including stills and costumes, in Riva's latest book, *Marlene Dietrich: Photographs and Memories*.

Even by celebrity standards, Dietrich's personal life was bizarre. Wildly promiscuous, she remained married throughout her life to Rudolf Sieber, an assistant director from Czechoslovakia whom she met before the onslaught of fame. During their fifty-year marriage, Sieber was Dietrich's kept-man; he guarded the image of fidelity, while she paid for his Russian mistress's frequent abortions. In 1953, as she kicked off her world tour, he became a chicken farmer in California.

The daughter of a Prussian officer who died in World War I, Dietrich's noble roots directed her every step. As a teen, she was already skilled in English and French, the violin and piano, when she shortened her name, Maria Magdalene to Marlene. She eyed a career as a musician, but at eighteen, a hand injury forced her to change direction, and despite her family's disapproval, she turned to acting.

Her big break came when von Sternberg chose her for the part of

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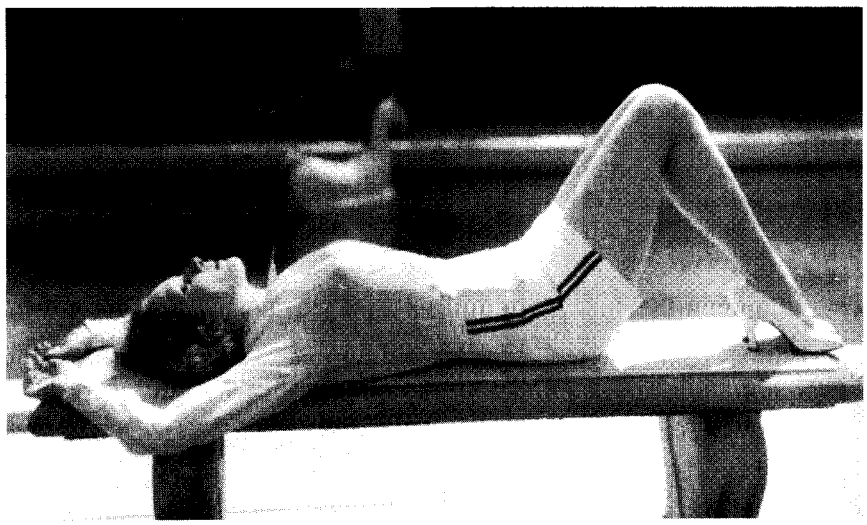
Lola-Lola after seeing her on stage. In *The Blue Angel*, Dietrich is unpolished, her body pudgy, her acting stiff. But Paramount—eager to compete against MGM's Greta Garbo—thought she had the makings of a star. She shed thirty pounds, and in six more von Sternberg movies the director and his star shaped the legend. They learned the right lighting to transform her rather flat face into an angular map of mystery that would lure American audiences hungry for a glimpse of European sophistication. She was consistently lit from above to lighten the hair and make the cheekbones and nose appear patrician.

Von Sternberg's productions showcased the actress in lavish costumes. The most successful was the 1932 *Shanghai Express*, where, as Shanghai Lily, she is a woman with a past who sacrifices herself to a Chinese warlord to save the man she loves. Along the way, she woos the audience with the smooth French she injects into the dialogue. In the film *Morocco*, she dons a top hat, white tie, and tails. There's often something mechanical about Dietrich's performance; even in *Blonde Venus*, when she emerges from a huge, hairy gorilla suit and puts on a fuzzy wig, it's the visual spectacle that grabs you more than Dietrich herself.

Her only likable performance is in *Destry Rides Again*. But that's only because she's under the direction of a truly American director, the corn-pone George Marshall, not an émigré with a "von" in his name. Free not to be a German *artiste*, she becomes Frenchy, the battling, boisterous "saloon tart" who sports "Shirley Temple curls," falls for Jimmy Stewart, and claws her way through a wildcat fight. Along the way, she sings the song that would become a Dietrich classic, "See What The Boys in the Backroom Will Have."

The myth was most evocative during World War II, when she emerged as a concert performer who entertained Allied troops between April 1944 and July 1945. She crooned, "Lili Marlene," played a musical saw between her famous legs (she learned to play the instrument back in 1927), and strutted across the stage with comedian Danny Thomas. The USO tours and the ensuing accolades—the Medal of Freedom and the French Legion of Honor, the distinction she prized the most—paved the way for the postwar career to come. In 1953, with her fame cemented by Hollywood, she began the series of concerts that took her around the world.



As both actress and singer, Dietrich had little depth. The role that was said to show her dramatic skills, that of the cockney hag in *Witness for the Prosecution*, is wildly overrated. As a singer, she was self-conscious about her lack of vocal range and swallowed cortisone religiously after hearing it opened the cords. The audiences didn't see the flaws, though. Every night, a glamorous, lone figure, adorned in a seductive "nude" dress, took center stage, flouting the inroads of time as she wooed all with her sophistication. This was, after all, not just any movie star but royalty who counted Noël Coward, Ernest Hemingway, Sir Alexander Fleming, and Erich Maria Remarque among her friends. (Dietrich largely shunned the friendship of actors.)

She made records, too. There was the 1965 *Marlene: Songs in German*, which included her purr-growl voice attempting "Blowin' in the Wind" and "In the Barracks." The album jacket includes praise for her "bolstering the spirits of American fighting men during World War II—far beyond the call of duty for a new citizen, . . . the woman who has risen above intense dedication to her art, to feel so deeply about the world around her."

Dietrich, though, never cherished America. "Those terrible Puritans," she would tell her daughter, "America is full of them." Perhaps that explains why, on that day in June 1939 when she became an American citizen, she looked so bored. The famous photo that circulated around the world showed Dietrich, eyes downcast, leaning against the magistrate's desk as he administered the Pledge of Allegiance. A patrician to the core, she merely accepted America as an alternative to a country that had embraced a leader of bourgeois stock. In later years, during that talk with Maximilian Schell, she bemoaned what she saw as a German trait. "All Germans want a leader," she said, "but with Hitler that was too much for me." True to her roots, she shunned complexity and approached life as if all were simple. "I don't have kitsch feelings," she told Schell.

For Dietrich, religion and feeling were foolish. Unfaithful to men and women alike, she believed in lust, not love. Now, seventy years after she shot to fame, Dietrich and her persona linger in the public mind. There's nothing real or genuine there, nothing sultry or erotic beneath the supercilious armor that she brought to virtually every role on camera and off. But we can't help but think otherwise. ♦

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"My favorite was the Land of Ironic Detachment!"

Books in Brief

***The Votes That Counted: How the Court Decided the 2000 Presidential Election*, by Howard Gillman (University of Chicago Press, 280 pp., $27.50).** There is no shortage of books on the case of *Bush* v. *Gore*. THE WEEKLY STANDARD has already reviewed 11 of them in essays by Noemie Emery and David Tell, and we had hoped to escape any more. But the books keep coming. Among the recent crop is Howard Gillman's *The Votes That Counted*. It is, as the title suggests, less heated than others on the topic. But like, for example, Alan Dershowitz's *Supreme Injustice*, it condemns the majority's decision as an indefensible act of political partisanship.

That, of course, is the dominant view of the law professoriate. For a cogent assessment of the professoriate, one needs to read not a book but an article. In "The Professors and *Bush* v. *Gore*," in the fall issue of the *Wilson Quarterly*, Peter Berkowitz and Benjamin Wittes focus on the views of three of the nation's most eminent constitutional theorists—Bruce Ackerman, Cass Sunstein, and Ronald Dworkin—and show that each has made flamboyant assertions supported not by evidence and argument but by his own authority. The complaint that the decision amounted to gross politicking "may apply with more obvious justice to the accusers themselves than to the Court." Berkowitz and Wittes don't pass judgment on the ultimate correctness of the Court's decision. Their burden is to argue that "the charge that the decision is indefensible is itself indefensible."

So is there anyone willing to say that the decision is not merely defensible but correct? Actually, yes. Read, in a forthcoming issue of the *Cardozo Law Review*, "The Unbearable Rightness of *Bush* v. *Gore*" by Nelson Lund, professor of law at George Mason University. Lund contends that the Supreme Court was "faced with a gross violation of law by a subordinate court" and "did exactly what an appellate court is supposed to do" in such a case—reverse the lower court and uphold the law.

—Terry Eastland

***The Post's New York*, compiled by Antonia Felix and the editors of the *New York Post* (HarperResource, 260 pp., $18).** It's a shame we have so many one-newspaper towns; American cities are big, beautiful, messy beasts, and it's asking too much for one paper to capture the entire essence of any of them. Fortunately, New York doesn't have this problem. As a counterpart to the *Times*, New York has its *Post*, America's oldest continuously published daily newspaper (and our NewsCorporation stablemate), to embody the city's pugnacious spirit. This colorful volume takes us through 200 years of *Post* history, from its birth as the brainchild of Alexander Hamilton to the guilty pleasures that keep readers coming back for more: the gossip and, of course, the headlines, including everyone's favorite, 1983's HEADLESS BODY IN TOPLESS BAR. Along the way, the book offers a fascinating look at the changes and continuities of the *Post* and the city it chronicles.

—Lee Bockhorn

***The Education of Cyrus*, by Xenophon, translated by Wayne Ambler (Cornell University Press, 304 pp., $19.95). *Xenophon's Prince: Republic and Empire in the* Cyropaedia, by Christopher Nadon (University of California Press, 198 pp., $38).** Perhaps no scholarly achievement was more characteristic of the work of Leo Strauss than his rediscovery of Xenophon as a philosopher who deserved to be spoken of in the same company as Plato, Maimonides, and Machiavelli. The only major work of Xenophon of which Strauss did not publish an interpretation was *The Education of Cyrus*. These two volumes, by students of students of Strauss, help supply that defect. Wayne Ambler's elegant translation deserves to become the standard English version of this work, which is the classic "mirror of princes." And Christopher Nadon's study is by far the best guide one can find to *The Education of Cyrus*. Nadon both shows the charms of a life led in Cyrus' way and makes a powerful, Xenophontic case for that life's inability to meet the highest interests of man.

—Steve Lenzner

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ASPEN, Colo. — The embattled chairman of Enron Corp. has put three of his four Aspen properties up for sale, asking a total of more than $15 million. The properties, owned by Kenneth Lay and his wife, Linda, include two single-family homes and an undeveloped lot at the base of Red Mountain, Aspen broker Joshua Saslove said Wednesday. ***—Associated Press***

ANDERSEN
Arthur Andersen Home Inspections Inc.

Home Inspection Report
15,459,000,987 Red Mountain Lane
Aspen, Colo. 9089

Prepared for: Kenneth Lay

Inspector: David Duncan

Summary

Overall:

This home is in perfect shape. It has a living area of 2,345 square feet downstairs and 7,890 square feet upstairs with no basement, for a total living space of 6 square miles—up from 3.5 square miles when this home was last inspected just 16 months ago. There are 16 bedrooms and 9 baths upstairs and 4 bedrooms, 14 hectares of Jacuzzi space, and a sauna downstairs, plus a shredding room in the basement. The front of the house offers ocean views and access to a private jetty, which is a short walk from Central Park and a New York subway stop. The statue of Phil Gramm on the roof does not convey.

Structure:

The foundation is faultless. All downspouts from the gutters have been removed, allowing a free flow of water to the foundation materials, thus keeping them clean and free of debris. Small omnivorous insects are noticeable in the floor joists, thus bonding the materials with super-strong organic reinforcement agents. The vinyl roof, a mere 73 years old, has been cleansed of its tar-like top layer, thus removing a potential cancer hazard and allowing snowmelt to be soaked up harmlessly in the soft pink insulation material stored in the attic. The body of Sherron Watkins's drowned cat at the bottom of the Olympic-sized swimming pool does not convey.

Interior:

All wiring has been laid under carpets to allow for maximum flexibility. Floorboards have pleasant bow-shaped design to enhance drainage. Kitchen has been off-loaded to the Cayman Islands for tax reasons. Family room complete with safe and check-writing machinery great for entertaining. The dining room wallpaper made up of 401(k) earnings reports does not convey.

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School Reform: Stay the Course

Diane Ravitch is a research professor, New York University; distinguished visiting fellow, Hoover Institution; and member, Hoover's Koret Task Force on K–12 Education.

Americans are famous for demanding instant results. Real school reform, however, takes time. **Massachusetts embarked on a reform strategy in 1993, and only now is the state seeing results.**

In 1993, the state legislature agreed to add $1 billion annually to education funding, with the expectation that students would thus be prepared to pass new state examinations ten years later. After developing new standards and tests, the state began testing students on a trial basis in 1998.

Tenth-grade students were required to pass state tests (known as MCAS, for the Massachusetts Comprehensive Assessment System) in mathematics and English to qualify for a high school diploma. Those who failed had four additional chances to retake the tests.

The early returns of state testing were terrible. Half the tenth graders failed the math test, and a third failed the English test. The failure rates were even higher for minority students. Critics began attacking the reforms, charging that they stifled teachers' creativity and, worse, endangered minority youth, who might be denied a diploma. The Massachusetts Teachers Association launched a $600,000 advertising campaign against state testing, and the state's local school boards urged lawmakers to repeal the requirement that students pass the exams to graduate.

But state officials held firm. Their persistence was rewarded this fall when the results of the 2001 tests were made public. Knowing that this was the first time that the tests counted for graduation, tenth-graders took them seriously. Remarkably, the failure rate on the math test dropped from 45 percent in 2000 to 25 percent in 2001 and from 34 percent to 18 percent in English.

Minority students showed significant progress. The failure rate of African American tenth graders fell from 60 percent to 40 percent in English and from 77 percent to 52 percent in mathematics. Among Hispanic students, the failure rate dropped from 66 percent to 48 percent in English and from 79 percent to 58 percent in mathematics.

Many of those who failed received marks that were just below passing. With more effort and study, they will pass on their next try. The state has created remedial programs to help those who failed, and teachers know that they have a specific pool of youngsters who need extra help to master English and mathematics. With each retake of the tests, the number of students who fail will grow smaller.

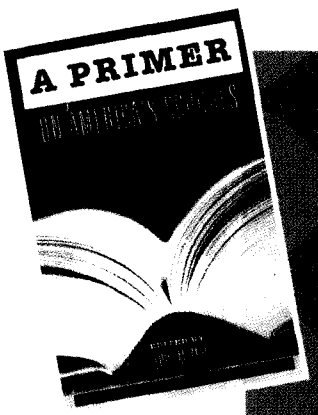
The Massachusetts tests, it must be noted, are among the most challenging in the nation. The math tests are rigorous assessments of problem-solving skills, and the English tests have many essay questions based on excellent literature.

Massachusetts has begun to reap the rewards of standards-based reform. **The state bet that students could meet high expectations, and it backed up its bet with serious new funding and excellent tests.** State officials passed their own test, enduring a barrage of criticism and predictions of disaster.

The real winners in Massachusetts are the students. From now on, their diplomas will signify that they have mastered important knowledge and skills and that they are ready for college and the modern workplace.

— Diane Ravitch

Paid for by the Hoover Institution, Stanford University.



Want to learn more about K–12 education policy?

Visit us on-line at **www.hoover.org** *or contact us to receive a complimentary copy of* **A Primer on America's Schools**—*11 chapters by Hoover's Koret Task Force on K–12 Education.*

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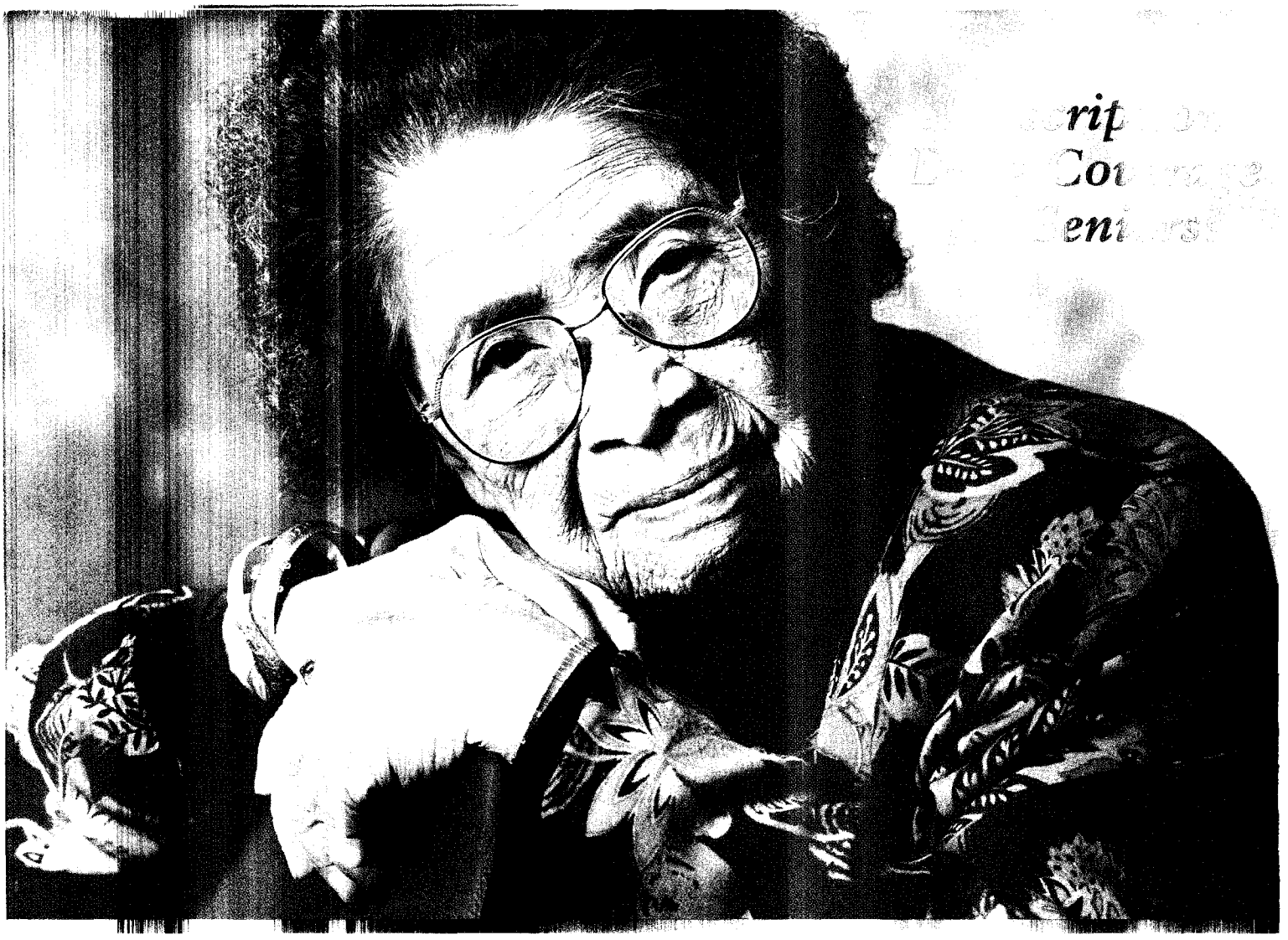

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It Should Be Done

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What is the measure of a meaningful benefit?

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Prescription drug coverage for seniors? It can be done ... It should be done!

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